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# HOUSE JOURNAL

MONTANA LEGISLATIVE COUNCIL  
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First Regular and First Special Sessions

OF THE

## Forty-Third Legislative Assembly

OF THE

STATE OF MONTANA

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Held at Helena, the Seat of Government of Said State,  
Commencing in Regular Session January 1, 1973 and  
Ending March 10, 1973, and  
Commencing in Special Session March 12, 1973, and  
Ending March 24, 1973.

Ed Smith  
Chief Clerk

Rosella Wilson  
Journal Clerk

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# HOUSE JOURNAL

OF THE

## Forty-third Legislative Assembly

OF THE

State of Montana

### FIRST LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 1, 1973

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Forty-third Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Reverend George Harper, of Helena, Montana, Temporary Chaplain; Don Scanlin, Billings, Montana, Temporary Sergeant-at-Arms; Ed Smith, Helena, Montana, Temporary Chief Clerk; and Rosella Wilson of Wilsall, Montana, Temporary Journal Clerk.

Posting of the Colors by Major William M. Liston and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly followed.

Invocation was given by the Reverend George Harper.

The Chief Clerk called the roll by districts, all members being present except Rep. Lien, absent due to death in his family.

Secretary of State Frank Murray introduced the Honorable John C. Harrison, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law. SO HELP ME GOD."

Thereupon, having presented their certificates of election, the House members subscribed the foregoing oath:

Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow,

Colberg, Cotton, Cox, Driscoll, East, Edlund, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Gerke, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennenkens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimball, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer.

The Secretary of State called for nominations for Speaker of the House of Representatives. Fasbender, District 13, nominated Harold Gerke, District 8. Lockrem, District 8, nominated Oscar Kvaalen, District 3. Nominations were closed and the following votes were cast.

For Gerke: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, Harper, R., Healy, Hodges, Huennenkens, Jacobsen, Johnston, Kendall, Kimball, Kosena, Kvaalen, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer. Total 53.

For Kvaalen: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Gerke, Glennen, Hager, Haines, Harper, H., Holtz, Hubing, Jones, Kessner, Kolstad, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 46.

Fasbender and Kvaalen escorted the newly-elected Speaker, Harold E. Gerke, to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel. At this time the Speaker made a few remarks and commented that with everyone working together the session should be completed within the allotted time.

### MOTIONS AND RESOLUTIONS

Hall nominated the following: Speaker Pro Tem, Walter Laas; Majority Floor Leader, Larry Fasbender; Chief Clerk, Ed Smith; Sergeant-at-Arms, Don Scanlin; Chaplain, Reverend George Harper.

Kvaalen moved that a unanimous ballot be cast for the above nominees.

Motion carried.

### REPORT OF SELECT COMMITTEES

A committee from the Senate composed of Groff, Flynn, and Hazelbaker was admitted and advised the House that the Senate was organized and ready for business.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the temporary rules of the House be the Joint Rules of the House and the Senate of the 42nd Legislative Assembly, except Rule 69.

Motion carried.

Fasbender moved that the Speaker appoint a committee of five members to notify His Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to deliver, and also to learn the time set for his message.



Motion carried.

The Speaker appointed Quilici, Kendall, Schepens, Nichols and Brown.

Motion was made by Fasbender that the Speaker appoint a committee of five members to inform the Honorable Senate that the House is now organized and ready to do business, and that the House wishes them God speed.

Motion carried.

The Speaker appointed Kosena, Greely, Regan, Asbjornson, and Ellerd.

Motion was made by Fasbender that the Speaker appoint a committee of five to notify the Supreme Court that the House is now organized and ready to do business.

Motion carried.

The Speaker appointed Bardanouve, Johnston, Halvorson, Lucas and Haines.

Motion carried.

Fasbender moved that the Speaker, Majority Floor Leader and Minority Floor Leader be ex officio members of all committees.

Motion carried.

#### REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Senate reported that it had so notified the Senate. The committee was thanked for discharging its duties. The committee was discharged.

The committee appointed to notify the Supreme Court reported that it had so reported to the Supreme Court. The committee was thanked for discharging its duties. The committee was discharged.

The committee appointed to notify the Governor reported that it had reported to the Governor. The Governor sent the message that his doors would always be open to any legislators who wished to see him and wished them all a Happy New Year. The committee was thanked and discharged.

The Speaker appointed the following Rules Committee: Fasbender, Hall, Laas, Gerke, Kvaalen, Lockrem, Nichols, and Selstad.

The Speaker introduced the attaches working out of the Sergeant-at-Arms office, and the following pages: Greg Axtman, Helena; Pam Brand, Deer Lodge; Cathie Blaskovich, Butte; Gene Matelich, Missoula; Mark Mikeson, Stanford; Becky Olsen, Billings; Kim Schulke, Helena, and Pam Tooke, Fox.

#### MOTIONS AND RESOLUTIONS

Fasbender moved that the House convene at 1:30 p.m. every day unless otherwise notified by the Speaker.

Motion carried.

#### FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Resolution No. 1, introduced by Fasbender, Lockrem, and Hall. "A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings."

Hall moved that Rules be suspended and House Resolution No. 1 be considered read at length.

Motion carried.

Referred to Committee on Rules.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be amended to include the following committees:

Agriculture, Livestock and Irrigation; Bills and Journal; Business and Industry; Constitution, Elections and Federal Relations; Education; Finance and Claims; Fish and Game; Highways and Transportation; Judiciary, Labor and Employment Relations; Legislative Administration; Local Government; Natural Resources, Public Health, Welfare and Safety; Rules; State Administration; and Taxation.

Further to amend House Rule 7-1 to read as follows: "The Committee on Rules shall consist of the Speaker, the Majority Leader, and two other members of the majority party appointed by the Speaker; the Minority Leader, and three members of the minority party designated by the Minority Leader and appointed by the Speaker."

Motion carried.

### MESSAGES FROM THE GOVERNOR

December 29, 1972

The Honorable Harold E. Gerke  
Speaker of the House  
Capitol Building  
Helena, Montana 59601

Gentlemen:

This will inform you that I wish to deliver my State of the State address to the Members of the 43rd Legislative Assembly Tuesday, January 2, 1973, at the hour of 1:00 p.m.

Sincerely,  
THOMAS L. JUDGE  
Governor-elect

### MOTIONS AND RESOLUTIONS

Fasbender moved that the House adjourn until 12:30 p.m., January 2nd.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### SECOND LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 2, 1973

House convened at 12:30 p.m., Mr. Speaker in the Chair.



Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call, all members present except Lien, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily Journal for the First Legislative Day, find the same to be correct.

FASBENDER, Chairman

### UNFINISHED BUSINESS

Members of the Senate were admitted to the House.

Assembly being in joint session, Lt. Governor Christiansen, occupying the chair for the joint session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in Joint Assembly and were ready to hear his message. Senators Manning and Mather, and Representatives Bardanouve and Haines.

Posting of the Colors by Major William M. Liston and staff from the Montana National Guard.

Invocation by the Senate Chaplain.

His Excellency, Thomas L. Judge, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered his address:

"These are the best of times and these are the worst of times.

It is the age of wisdom and it is the age of foolishness.

It is the season of light and it is the season of darkness.

We have everything before us and we have nothing before us . . ."

These paraphrased words of Charles Dickens, who never saw Montana, prophetically describe the contradictions affecting our State at this time.

We have a great treasure of natural resources but the land has been exploited and the wealth has gone out of the state.

We have a myriad of possibilities but thousands of our people face this winter without jobs and the lack of opportunity forces many of the young to leave home.

We have clean air and clear water and inspiring reaches of unspoiled land but the quality of our environment is threatened by impending development.

We have implemented significant management reforms in state government but these programs must be expanded and refined to further reduce the waste and inefficiency that penalize our taxpayers.

We have a new Constitution, but we must now confront the practical problems of implementing the provisions of this document.

We have an opportunity for tax relief but we must continue responsible economy in government, eliminate unnecessary expenditures and discourage the growth of a huge bureaucracy.

We have a proud history but many of the descendants of the great Indian patriots live in destitution on and off the reservations.

We have inherited the frontier principle of helping others but we do not have the resources to adequately assist many people who cannot earn a decent living.

Balancing the contradictions between the realities and the great expectations of Montana is the critical challenge of political leadership in 1973 and the remaining years of this decade.

Open land and the resource potential of the West were once considered to be infinite. Times have changed. The land has been degraded and locked up and resources have been recklessly depleted. Too often we respond to land and resource management questions with the answers of a hundred years ago.

It is time that we establish a new land ethic in this country, particularly in Montana where we still have something of value to protect. Consumer demands have extracted a terrible price from the land. And we cannot continue foolishly to meet these demands without regard for tomorrow.

Since the days when mercenary hunters slaughtered the buffalo into virtual extinction, Montana's resources have been greedily exploited.

Outsiders came in and extracted the resources, sent the profits elsewhere and left us with nothing but the forlorn memories of their passing.

We must change our attitudes about the disposition of our resources. And we must answer three essential questions in regard to any development.

1. What effect will the development have on our environment, our economy and our society?
2. What will Montana and our people receive for the development?
3. Is this what Montanans want for their state?

Montanans for the first time must control their own destiny. We have an obligation to provide people with the facts and the alternatives to enable them to make rational and informed decisions.

It is time that we set goals for Montana. Priorities for progress. These must be the goals Montanans want for their state and for their children.

I believe a fundamental goal is to protect the qualities of life that make Montana a special place to live and at the same time provide employment opportunities and security for our people.

Eastern Montana was once a remote and ignored area, lost in the vast interior of this country. The prairies and mountains and pine hills are a land of legend—the location of the last desperate battles of the Indian wars.

When the signal smoke had vanished forever from the promontories, the land was forgotten by the remainder of the country. And the farmers and stockmen came to earn a hard living from the earth.

Now Eastern Montana has been rediscovered because of an unprecedented demand for energy. There are an estimated 30 billion tons of strippable low-sulphur coal buried beneath the plains. The industrial development based on this energy source could be one of the largest in the world.

The coal to be torn from the land and utilized in steam generation and gasification plants is only an interim or stop gap energy source. If we do not accept our responsibilities today, the destructive boom and



bust cycle will be repeated again. Our resources will be exploited without appropriate compensation for Montanans. And the stark beauty of the plains will be changed into an unworldly landscape of spoil banks leaching acidic wastes into our streams and occluding our skies with poisonous dust.

To deny the possibility of this apparition you must enact and I must sign into law the strongest strip mining control regulations in the history of this country.

The land must not be reclaimed for only cosmetic effect. It must be restored to beneficial use—agriculture, recreation or other purposes. And if these requirements cannot be met, strip mining should not be allowed to proceed.

I also propose that the tax per ton on coal be increased to provide the state a more just return from the development of this irreplaceable resource.

Every time a ton of coal, a pound of copper, a barrel of oil or a cubic foot of natural gas is taken from the ground, Montana loses something that can never be replaced. These resources ideally belong to Montanans—the men and women who settled and built this state. And I believe Montanans should be compensated when the resource wealth of their State is diminished.

I, therefore, recommend creation of a Resource Indemnity Trust Fund—a levy on all non-renewable resources extracted in Montana. A levy of one-half of one per cent would be assessed on the gross value of coal, metal mines, oil and natural gas production. This would raise approximately \$1 million per year. This trust fund will be exclusive of all existing and future levies on these resources.

The earnings from this tax would be invested. The interest income would be available for immediate problems. The principal would be set aside to be utilized when the taxed resources are ultimately depleted. Then the fund would be applied to correct environmental damage, provide recreational areas and establish new opportunities for people to continue to live and work in Montana.

The Resource Indemnity Trust Fund would be the public's share of Montana's natural resources. This is not too much to demand because this State will relinquish its natural resources to meet the requirements of the national economy in the coming years.

Agriculture is the basis of the State's economy. And it would be a mistake of historic magnitude to allow this renewable resource base to be depleted and destroyed by a hit and run development.

The steam generation and coal gasification plants proposed for the Fort Smith region will consume inordinate quantities of water. It is essential to consider this critical issue now and to establish and determine Montana's right to assure that water required for irrigation and recreation is not monopolized by industrial consumers.

To understand fully the effects of proposed power plants will have on our state, I recommend a comprehensive study assembling all available resources at the federal, state and local level.

I propose a power plant siting bill that will give Montana sufficient time to adequately assess the impacts of proposed installations. Cities and towns possess the authority to decide the location of gas stations. And it is reasonable that the state should be able to control the siting of power plants, transmission lines and rail spurs.

Degradation and depletion of our land resources are occurring—continually because of unguided urban and rural sprawl, improper selection

of residential and industrial sites, wasteful use of farm, range and forest lands and other unplanned developments. In Montana we must encourage prudent utilization of our land. The right to economic opportunity and freedom of choice in the use of land, however, should remain with the property owner where it does not destroy the resources or conflict with a safe, clean and healthy environment.

I urge your favorable consideration of the Interim Montana Land Use Regulation Act proposed by the Department of Intergovernmental Relations. This would authorize the Department to hold public hearing to designate areas of state or regional significance—areas that have environmental, natural, historic or recreational features or resources requiring proper planning or development control. I believe this authority is essential to preserve those features that make Montana unique among the 50 states.

We must also have the authority to prevent subdivision developments from scattering across lands that would be better suited for agriculture and recreation purposes.

I advocate passage of legislation to establish the rights of Montanans in regard to our water resources.

Open land, hunting and fishing and other outdoor recreation are fundamental to our way of life in Montana. We must face the fact, however, that the once limitless land has been restricted and is no longer sufficient to adequately meet the recreational needs of the people of Montana.

To preserve the heritage of open land and unsurpassed recreational opportunities, I propose that we increase available matching funds to acquire and develop fishing and small game access sites and expand public recreation facilities for state and local government.

These proposals can be the beginning of a new land ethic in Montana. The environment and our resources have been exploited for more than 100 years. And now it is time to correct the mistakes of yesterday and to save the good in this land for tomorrow.

The political history of Montana has been twisted by the influence and domination of special interest groups. More than fifty years ago, Governor Joseph Dixon first proposed reorganization of the executive branch and constitutional revision.

These programs were destroyed by the special interest lobbies who exerted too much influence over state government.

In the past four years, the voters approved both executive reorganization and a new Constitution. We now have the opportunity to solve some of our persistent problems and provide positive leadership in Montana.

The Executive Reorganization Act of 1971 minimized the structure of governments. This program has significantly improved economy and efficiency in the operation of the executive branch and has saved the taxpayers nearly \$2 million since it was implemented. But this is only a beginning.

I recommend the establishment of an Office of Government Operations to further refine the machinery and administration of the executive branch. This office will scrutinize government operation, identify deficiencies, and continually work to attain a higher level of economy and performance.

Many of the functions of the executive branch were created to deal with specific problems and in many instances the bureaucracy has outlived the problem. The proposed office of Government Operations will have the capability to monitor the functions of the executive branch to evaluate programs and eliminate wasteful practices that are robbing the taxpayers.



The Executive Reorganization office has prepared several bills which I urge you to enact. These bills will abolish the State Liquor Control Board and transfer its functions to the Department of Revenue, establish a totally integrated Department of Labor; and provide that the Department of Revenue will be headed by the Director and that the Board of Equalization will be constituted as the Board of Tax Appeals. I also support legislation to strengthen the Department of Agriculture.

I encourage cooperation among all agricultural interests to develop a truly effective farm program for Montana.

State government in the 70's must address itself to the problems of our cities and towns. The state must offer assistance to local government to improve efficiency and economy.

Improved performance anywhere stretches the general tax dollar. Policy should not be dictated from Helena but management and accounting procedures proven at the state level should be utilized locally.

The increased demands on local government have caused property taxes to spiral.

Property tax relief is a major priority of this administration. To accomplish this we must first equalize assessments statewide to insure that everyone pays their fair share and not one dollar more.

Research is needed to establish the level of government best suited to perform a function and the most economical method of delivering required services.

Welfare is one of the most controversial issues in America. The people receiving assistance do not think it is sufficient. And most of those supporting welfare think it is extravagant.

There are careless provisions in the assistance laws that act as incentives to encourage people to remain on welfare.

Montana law denies medical, hospital, and nursing home benefits under Medicaid to all but welfare recipients. This regulation encourages people to remain on welfare level to provide an incentive for people, who can and should work, to go out and find a job without forfeiting their medical benefits. This is the type of approach that I will apply to provide an incentive for people to escape welfare rather than being imprisoned by the system.

Eligibility and resource requirements for welfare recipients will be strictly enforced by the Department of Social and Rehabilitation Services and the Department of Revenue.

I recommend that funds be appropriated to match available federal monies to establish day care centers. Mothers who are willing and able to work—and better provide for their families—need the help day care centers can provide. Furthermore, I believe more mothers will seek employment when they know their children are provided decent care and supervision during the day.

The people of Montana have generously supported education. And we now face many difficult questions regarding public support of our schools, community, colleges, universities and vocational-technical programs.

The school foundation program was established in 1949 to provide a basic education for all Montana children regardless of economic and social circumstances. Today there are great inequities in the Foundation Program.

I propose that the School Foundation Schedules be increased by 5 percent in each year of the biennium. This will provide an additional \$12.75 million in aid to education. And it will be the first time in the

history of the Foundation Program that a Governor has recommended increased schedules for the Foundation Program and funded the increases within the existing tax structure. The additional \$12.75 million in contributions to the School Foundation Program plus the \$7.5 million recommended in the executive budget will provide \$20.25 million in property tax relief. This direct relief to property owners all across Montana represents more than 150% of the revenue sharing funds received by the state during the same period.

Since 1899,\* Montana statutes have provided that any school district or board could establish a kindergarten program. But state funds have never been available for this purpose.

A key element in our future will be the ability to better prepare and educate our pre-school children. If a child's intellectual growth has been stunted before he is six years old, his chances of success in our education system are needlessly restricted.

It is, therefore, essential that we establish a state kindergarten system in Montana.

Higher education should be viewed as a resource, and funds expended on our colleges and universities should be considered an investment. To receive an appropriate return on our investment, however, we must establish priorities for the maintenance of quality and the elimination of extraneous and duplicating programs.

The questions Montanans are asking about post secondary education cannot be answered.

Therefore, I recommend state matching funds for a Blue Ribbon Commission to study the future of post secondary education and develop a comprehensive "Montana Plan."

Hopefully, this plan will provide a blueprint to enable us to maintain quality and serve the educational needs of all the state's students, at a level of funding Montanans are willing to support.

Our young people have not yet been subjected to the epidemic of drug abuse which plagues other states. There can be no question that drug abuse is a serious and growing problem in Montana. We must act now if we are to protect our people, particularly the young.

Almost a year ago, it was determined that no less than a half dozen state agencies were involved to some extent in the administration of various drug abuse and education programs. There was no overall coordination nor comprehensive effort on the part of the state.

To help correct this problem, a special action program on addictive diseases has been created within the office of the Governor. In cooperation with the federal government, the various programs are being brought together into a single attack on drug abuse and other addictive diseases.

I am pleased to inform you that Montana has been selected as one of ten states for serious consideration for a model program in addictive diseases. If selected, our program will be among the best in the Nation.

One problem that cannot be ignored is the 26,000 men and women who are unemployed in our state.

Cutbacks in federal funds for highways and other programs have adversely affected our economy. We must increase our efforts to help Montana business expand and to attract new industry that is compatible with a quality environment.

We must employ economic development specialists who have the expertise to develop new jobs in our state.



The office of the Federal-State Coordinator working closely with the Montana Congressional delegation has proven to be a good investment. I propose to strengthen this office to work for those programs that are beneficial to Montana.

I also propose to expand the State advertising Unit of the Department of Highways to engage in a new program to attract regional and national conventions and tours to Montana.

I intend to involve the private sector of our economy in these economic development projects.

The Advisory Committee on Workmen's Compensation will present recommendations to this Assembly. This Committee, comprised of representatives of labor and industry, has reached agreement on a number of improvements in the Workmen's Compensation laws. And urge your support of the Committee's recommendations.

Last year, approximately 400 Montanans met with an untimely death on our highways. We must increase our highway patrol, enact laws to crack down on the drinking driver and require a defensive driving course for consistent violators.

I encourage ratification of the 27th Amendment to the Federal Constitution guaranteeing equal rights for women.

Tomorrow I will send you amendments to the executive budget which detail the priorities of my Administration. The budget message will propose a plan to finance these programs.

These proposals will assure that Montanans will continue to receive the 75 per cent reduction in the income tax surcharge for the next 30 months.

The reduction of the surcharge from 40 to 10 per cent results in a tax saving of \$34 million. This is an income tax reduction of \$148 for the average Montana family.

The fundamental objective of this budget is to finance government at a reasonable level and support the programs and policies that are needed in Montana at this time.

This is a taxpayer's budget. It is neither austere or extravagant.

It represents total tax relief of \$54.25 million.

And it is a strong and viable program based on effective management and precise determination of priorities that will enable state government to fulfill its responsibilities without imposing unreasonable obligations on the taxpayer.

If these recommendations are followed, it will be the first time in recent history that the Legislature can adequately fund state government and reduce taxes.

I urge your support.

In the past, legislative sessions have been bitterly sundered by irreconcilable differences. Outsiders have continually exploited these factions to promote their interest in Montana.

Today we must answer many critical questions, and we cannot allow our differences to destroy the opportunity we have to solve the serious problems and realize the great expectations of Montana.

We must diminish our differences and emphasize that which we have in common. We are Democrats and Republicans and representatives of

urban and rural interests. But more importantly, we are all Montanans. And this higher allegiance must guide our deliberations.

Benediction was given by the House Chaplain.

The Governor having been escorted from the chamber, it was moved by Senator Lynch that 1,000 copies of the Governor's message be printed and distributed to the Legislators, state officials and others. Motion carried.

It was moved by Senator Lynch that the joint assembly be dissolved and that the members of the Senate return to the Senate Chambers.

The joint assembly having been dissolved, the House resumed business at 1:40 p.m.

Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

January 1, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 1, respectfully report as follows: That House Resolution No. 1 be amended as follows:

Chapter 7 and Rule H7-1 be renumbered as Chapter 2 and H2-1, respectively and the following new material be added:

The Committee in Rules shall consist of the Speaker, the Majority Leader, and two other members of the majority party appointed by the Speaker, the Minority Leader, and three members of the minority party designated by the Minority Leader and appointed by the Speaker. The Speaker shall appoint other standing committees, select committees, and House membership on joint committees and conference committees.

The standing committees of the House are as follows:

1. Agriculture, Livestock and Irrigation
2. Bills and Journal
3. Business and Industry
4. Constitution, Elections and Federal Relations
5. Education
6. Finance and Claims
7. Fish and Game
8. Highways and Transportation
9. Judiciary
10. Labor and Employment Relations
11. Legislative Administration
12. Local Government
13. Natural Resources
14. Public Health, Welfare and Safety
15. Rules
16. State Administration
17. Taxation



The first named member of a committee is the Chairman, and in his absence the next named member, and so on. No standing committee may consist of more than 17 members.

And that House Resolution No. 1, as amended, Do Pass.

FASBENDER, Chairman

### MOTION AND RESOLUTIONS

Fasbender moved that the Legislative Council and Legislative Audit Committee members be retained until new members are appointed.

Motion carried.

Fasbender moved that the House suspend the Rules and consider House Resolution No. 1, on Second Reading this day.

Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Swanberg in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 1 be adopted.

SWANBERG, Chairman

Report adopted.

### HOUSE RESOLUTION NO. 1

Introduced by Fasbender, Lockrem, Hall

A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the following rules are adopted:

### JOINT RULES

#### CHAPTER 1

Presiding Officer—Decorum, Order and Debate

1-1. The presiding officer of the Senate is the President and the presiding officer of the House of Representatives is the Speaker. The presiding officer of each house shall take the chair on every legislative day at the hour to which that house adjourned at the last sitting. After call to order, prayer by the chaplain and roll call, a report on the journal for the preceding legislative day shall be given in the presence of a quorum, and each house shall proceed with the regular order of business.

1-2. The presiding officer of each house shall preserve order and decorum, and in case of disturbance or disorderly conduct, may order the galleries or lobbies to be cleared.

1-3. The presiding officer of each house has general control and direction of the hall, chamber, rooms, passages and corridors of the house over which he presides. Reporters on assignment in either house are subject to placement by the presiding officer.

1-4. The presiding officer of each house shall decide all questions of order, subject to an appeal by any member seconded by two other members. No member may speak more than once on an appeal without the consent of a majority of the house of which he is a member.

1-5. When a member desires to speak he shall rise and address the presiding officer and, being recognized, shall speak standing in his place unless the presiding officer grants permission to speak from some other place on the floor. When two or more members rise at the same time the presiding officer shall name the member who is to speak first.

1-6. When a member has been called to order, he shall sit down until the presiding officer determines whether he is in order or not. If the member is called to order for words spoken in debate, the language excepted to shall be taken down in writing by the chief clerk or secretary.

1-7. Questions of privilege are: first, those affecting the collective rights, safety, dignity, and integrity of the proceedings of either house; and second, those affecting the rights, reputation and conduct of individual members of either house in their capacity as members. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

[1-8. The presiding officer of each house, in the presence of the house over which he presides, after due notice and immediately after the title has been publicly read, shall sign the original and one copy of each enrolled bill originating in the house over which he presides. The fact of signing shall be at once entered upon the journal. At the time of signing, if a member signifies his desire to examine the bill he shall be permitted to do so. The bill shall then be sent to the other house where the same procedure shall be followed. (Based in part on Montana Constitution, Art. V. Sec. 27)] (To be deleted 7-1-73).

1-8. When a bill has been reported correctly enrolled it shall be delivered to the presiding officer of the house in which the bill originated. The presiding officer shall announce from the rostrum, the announcement to be entered in the journal, the specific bills to be signed by him and shall designate a time when such bill shall be signed, and he shall sign the original and two copies of each bill delivered to him not later than the next legislative day after it has been reported correctly enrolled, unless the bill is delivered on the last legislative day in which event it shall be signed that day. The fact of signing shall be at once entered upon the journal. At any time after the report of a bill correctly enrolled and before the signing, if a member signifies his desire to examine the bill, he shall be permitted to do so. The bill shall then be transmitted to the other house where the same procedure shall be followed. (Effective 7-1-73)

1-9. The presiding officer of each house shall sign all [payrolls and] subpoenas approved or issued by the house over which he presides. The business manager will sign all payrolls.

1-10. (1) A communication or paper shall be addressed to the presiding officer, and shall bear the name of the person submitting it. When the reading of a paper is called for and a member objects, it shall be determined by a vote of the house without debate. This subsection does not apply to bills, or to communications from the governor or the other house.

(2.) A paper for or against proposed legislation may not be placed on the desks of the members or circulated within the chamber unless the person responsible has signed it and has received permission from the chief clerk of house or the secretary of the senate to distribute it in the house concerned.

1-11. When the presiding officer is a member of the house over which he is presiding he shall vote as any other member, and may not vote a second time.

(Material in brackets denotes cancelled type.)

## CHAPTER 2

### Meetings, Quorums and Attendance

2-1. The chamber of the senate and the hall of the house of representatives shall be open from 8 o'clock a.m. until 11 o'clock p.m. each day during the session, unless by resolution of the senate its chamber, or by resolution of the house its hall, shall be closed.

2-2. The hour of meeting of the Senate is 10 a.m. unless otherwise ordered by the Senate. The hour of meeting of the House of Representatives is 10 a.m. unless otherwise ordered by the House.

2-3. Lobbying on the floor of the Senate or House of Representatives is prohibited during the session and within one hour prior to the commencement of a session and within one-half hour after recess or adjournment.

[2-4. The sessions of each house and of the committees of the whole shall be open, unless the business is such as requires secrecy. (Montana Constitution, Art. V. Sec. 13)]

2-4. The sessions of the legislature and of the committee of the whole, all committee meetings, and all hearings shall be open to the public. (Montana Constitution, Art. V. Sec. 10(3)).

[2-5. During the discussion of a motion to close the doors of either house to discuss business which may, in the opinion of that house, require secrecy, the presiding officer shall exclude all persons, except the members and the chief clerk or secretary. Every member and employee of such house shall keep secret all matters ordered to be kept secret.]

[2-6.] 2-5. Neither house shall, without the consent of the other, adjourn or recess for more than three days, nor to any other place than that in which the two houses shall be sitting. (Montana Constitution, Art. V. Sec. [14] 10-(5))

[2-7.] 2-6. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe. (Montana Constitution, Art. V. Sec. 10(2)).

[2-8.] 2-7. Unless he is excused, a member of the House or Senate shall be present at every sitting of the house of which he is a member.

[2-9.] 2-8. In the absence of a quorum, a majority of members present in either house may compel the attendance of absent members by ordering a call of the house of which they are members.

[2-10.] 2-9. If a quorum is present, five members of the Senate may order a call of the Senate, and fifteen members of the House of Representatives may order a call of the House.

[2-11.] 2-10. On a call of either house, a member who refuses to



attend may be arrested by the sergeant-at-arms or any other person, as the majority of such members present shall direct. When the attendance of an absent member is secured after a call of either house, if the house of which he is a member refuses to excuse his absence, he shall not be paid any per diem during his absence and is liable for the expense incurred in procuring his attendance.

[2-12.] 2-11. During a call of either house, all business of that house shall be suspended. After a call has been ordered no motion is in order except a motion to adjourn or remove the call. The call may be removed by a two-thirds vote.

2-12. If either house is in session upon a given day, whether or not the other house is in session, that day shall constitute a legislative day.

(Material in brackets denotes cancelled type.)

### CHAPTER 3

#### Legislative Employees

3-1. The legislative assembly shall prescribe [by law] the [number, duties and] compensation of the officers and employees of each house; each house shall prescribe the duties of its officers and employees and no payment shall be made from the state treasury, or be in any way authorized to any such person, except to an acting officer or employee elected or appointed in pursuance of law. ([Montana Constitution, Art. V. Sec. 28]).

3-2. Except as provided in Joint Rule 3-3 and Joint Rule 3-4, the business manager, subject to the supervision of the committee on legislative administration of each house and [shall appoint the employees of each house,] subject to the approval of the respective houses, shall be responsible for personnel.

3-3. The committee on legislative administration of each house shall appoint secretaries for standing or special committees on recommendation of the committee chairman, subject to the approval of the respective houses. A secretary for a standing or special committee is immediately responsible to the committee chairman, but when not occupied with the duties of a committee, a secretary of a committee of the House of Representatives shall work under the direction of the chief clerk of the House, and a secretary of a Senate committee under the direction of the secretary of the Senate. The director of the Legislative Services Division of the Legislative Council shall hire all engrossing and enrolling typists and proof-readers.

3-4. The Minority Floor Leader of each house may appoint a private secretary, who is responsible to him.

3-5. The secretary of the Senate and chief clerk of the House of Representatives are responsible to the presiding officers of their respective houses. Their duties are:

- (a) To have custody of all records, bills, documents and other papers.
- (b) To supervise the [keeping] making and examination of the journal, [engrossing, and enrolling,] and the handling of bills and resolutions.
- (c) To deliver to the [secretary of state] appropriate officers or offices, as set forth in these rules during the session or at the close of each session, as required by these rules, the journal, bill books and resolution books, and all copies of introduced and engrossed bills and joint resolutions.

(d) To collect from the chairman or secretaries of all standing committees, and special committees, committees of the whole, and conference committees, the minutes of such committees and deliver them to the State Historical Society.

3-6. Journal clerks, bill clerks, [engrossing and enrolling clerks,] typists, and other employees responsible for legislative functions, except secretaries for standing or special committees, secretaries to presiding officers, and secretaries to majority and minority floor leaders, are immediately responsible to the secretary of the Senate or the chief clerk of the House, subject to general supervision of the presiding officer. Engrossing and enrolling clerks are immediately responsible to the director of the Legislative Service Division of the Legislative Council under the direction of the bills committee.

3-7. The duties of the engrossing and enrolling clerks are:

(a) To engross or enroll all bills delivered to them within forty-eight hours after they have been received, unless further time is granted.

(b) To correct clerical errors, with the consent of the secretary of the Senate or chief clerk of the House of Representatives, in any bill originating in the house by which they are employed. Clerical errors such as the following may be corrected:

( i) errors in spelling

(ii) errors in numbering sections

(iii) adding or deleting underlining or lines through matter to be stricken

(iv) material copied incorrectly from the most recent Revised Codes of Montana.

The secretary of the Senate and chief clerk of the House shall inform the principal sponsor of all such corrections. [No bill shall be corrected after engrossing.]

3-8. (1) The sergeants-at-arms are responsible to the presiding officers of their respective houses. Their duties are:

(a) To maintain order under the direction of the presiding officer.

(b) To execute commands and serve all processes.

(c) To receive, distribute and have custody of supplies.

[(d) To keep account for per diem and mileage of members and employees, and prepare and submit all claims for payment.]

[(e)] (d) To take an inventory at the close of each session of all furniture, fixtures, supplies, and other property and turn such property over to the state controller for custody until the next session. One copy of the inventory shall be kept on file in the office of the sergeants-at-arms.

(2) All expenditures of money appropriated for the operation of the legislative assembly must be approved by the committee on legislative administration of the house concerned.

3-9. The assistant sergeant-at-arms, doorkeepers, watchmen, janitors, pages and other employees responsible for general housekeeping functions are immediately responsible to the sergeant-at-arms, subject to the general supervision of the presiding officer.

3-10. The duties of the chaplain of each house are to open each day's session with a prayer.

3-11. The duties of the law clerks of each house are to draft legislation and perform legal research for members.

3-12. An employee of either house is prohibited from lobbying as defined in Section 43-802(1), R.C.M. 1947. However, an employee may testify before a committee of either house on the request of the committee. An employee violating this rule shall be discharged.

3-13. Disputes or complaints involving the competency or decorum of a legislative employee shall be referred to the committee on legislative administration of the house by which the employee is employed. The committee, in its discretion, may dismiss, suspend or retain the employee. The committee on legislative administration shall periodically review the roster of employees and shall dismiss surplus employees.

3-14. A business manager shall be employed to serve both the Senate and House of Representatives. The business manager will be permanently housed in the office of the Legislative Council to maintain an adequate set of bookkeeping records for each house, encumber funds, sign claims and payrolls, order all printing, supplies and equipment prior to a legislative session as well as during the session, and perform any other service for the leadership and the committees on legislative administration.

## CHAPTER 4

### Order of Business

4-1. After prayer, roll call, and report on the journal, the order of business of the Senate and House of Representatives is as follows:

- (1) Communications and petitions
- (2) Reports of standing committees
- (3) Reports of select committees
- (4) Messages from the Governor
- (5) Messages from the other house
- (6) Motions and resolutions.
- (7) First reading and commitment of bills
- (8) Second reading of bills (committee of the whole)
- (9) Third reading of bills
- (10) Unfinished business
- (11) Special orders of the day
- (12) Announcement of committee meetings

To revert to or pass to a new order of business requires only a majority vote. Unless otherwise specified in the motion to recess, the house involved shall revert to order of business No. 1 when reconvening after a recess.

## CHAPTER 5

### Motions

5-1. When a motion is made it shall be restated by the presiding officer, and, if requested by the presiding officer or a member, shall be reduced to writing and read aloud. A motion may be withdrawn by the member making it at any time before it is amended or voted upon.

5-2. When a question is under debate no motion may be made except



the following privileged and subsidiary motions which have precedence in the order listed:

- (1) To adjourn
- (2) For a call of the house
- (3) To recess
- (4) Question of privilege
- (5) To lay on the table
- (6) For the previous question
- (7) To postpone to a day certain
- (8) To refer or commit
- (9) To amend
- (10) To postpone indefinitely

5-3. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

5-4. A member who voted on the prevailing side of a question may, on the day the vote was taken or on the next day the house in which the action was taken is in session, move to reconsider the question. A motion to reconsider may not be withdrawn after such next legislative day without the unanimous consent of the house concerned, and thereafter any member may call it up for consideration; however, a motion to reconsider made after the fifty-fourth day of the session shall be disposed of when made. A motion to recall a bill from the other house constitutes notice to reconsider, and shall be acted on as a motion to reconsider. A motion to reconsider or to recall a bill from the other house may be made only under order of business No. 6, and under that order of business takes precedence over all motions except to recess or adjourn.

5-5. When a motion to reconsider is laid on the table, a two-thirds majority is required to take it from the table. When a motion to reconsider fails, the question is finally and conclusively settled.

5-6. (1) Except as provided in subsection (2) of this rule, the effect of moving the previous question if adopted, is to close debate immediately, to prevent the moving of amendments or other subsidiary motions, and to bring to vote promptly the immediately pending main question and the adhering subsidiary motions, whether on appeal or otherwise.

(2) When the previous question is ordered on any debatable question on which there has been no debate, the question may be debated for one-half hour, one half of such time to be given to the proponents and one half to the opponents.

5-7. A call of the house is not in order after the previous question is ordered, unless it appears upon an actual count by the presiding officer that a quorum is not present.

5-8. The following motions are not debatable:

- (1) To adjourn
- (2) For a call of the house
- (3) To recess
- (4) For parliamentary inquiry
- (5) For suspension of the rules

- (6) To lay on the table
- (7) For the previous question
- (8) To limit, extend the limits of, or to close debate
- (9) To amend an undebatable motion
- (10) To divide a question
- (11) To pass business in committee of the whole
- (12) To take from the table

(13) A decision of the presiding officer, unless appealed or unless he submits the question to the house for advice or decision.

(14) All incidental motions, such as motions relating to voting or other questions of a general procedural nature.

5-9. A member may move to divide a question if it includes two or more propositions so distinct in substance that if one thing is taken away a substantive question will remain.

5-10. An amendment to a motion may be amended, but an amendment to an amendment to a motion may not be amended. However, a substitute for an amendment to an amendment to a motion may be adopted and the substitute may be amended.

## CHAPTER 6

### Bills and Resolutions

#### A.—Form of Bills—Definition of Resolutions—General Provisions

6-1. The only types of instruments other than bills which may be introduced in either house of the legislative assembly are:

(1) A simple resolution, which is a formalized motion passed by one house only and which bears the heading "House Resolution" or "Senate Resolution." It may be used to amend the rules of the house adopting it. It does not require three readings or a roll call vote. A member offering a simple resolution may read it in his place before sending it to the chair. It shall then be read by the clerk or secretary unless otherwise ordered by the house, and referred to a committee. Final action shall be taken on the Committee of the Whole report. The transmittal of copies of simple resolutions is the responsibility of the chief clerk or secretary of the house of origin.

(2) A joint resolution, [which] must be adopted by both houses and shall not be approved by the governor [and then signed by the governor as a ministerial formality.] It may be used to express the desire, opinion, sympathy or request of the legislative assembly, to amend the joint rules, and to ratify or propose amendments to the United States Constitution. A joint resolution shall also be used to propose amendments to the Constitution of Montana, which shall be considered as provided in Article XIV, Section 8 of the Montana Constitution. If a joint resolution goes beyond a mere recommendation or expression of opinion, [and] or does not relate to a subject solely within the competence of the legislative assembly, it is subject to veto by the governor. Except as otherwise provided in these rules or the Constitution of the State of Montana, a joint resolution is treated in all respects as a bill.

(3) All resolutions directing studies be done by the Legislative Council shall contain a preamble to be known as a declaration of the author's specific intent. These resolutions shall be reviewed by the Council staff for style and format in the same manner as a bill.

6-2. Bills shall be typewritten on paper eight and one-half by [thirteen] eleven inches with [30] 25 numbered lines, and shall be introduced in quadruplicate. Pica [or elite]-type and a good black ribbon must be used. Bills shall be numbered at the foot of each page and shall have white covers of a substantial material. In sections amending existing statutes, matter to be stricken out shall be indicated with a line through the words or part to be deleted, and new matter shall be underlined. A key showing the numbers of sections of the most recent Revised Codes of Montana repealed or amended in a bill shall immediately precede the title. Introduced bills will be introduced on white paper and distributed to legislators.

6-3. No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall contain more than one subject, which shall be clearly expressed in the title. The enacting clause of every law shall be as follows: "Be it enacted by the legislative assembly of the State of Montana." [(Montana Constitution, Art. V. Sec. 23 and Art. V, Sec. 20)]

6-4. The general appropriation bills shall embrace nothing but appropriations for the ordinary expenses of the legislative, executive and judicial departments of the state, interest on public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. (Montana Constitution, Art. V, Sec. [33] 11 (4).

6-5. Every statute, unless a different time is prescribed therein, takes effect on the first day of July of the year of its passage and approval. Every joint resolution, unless a different time is prescribed therein, takes effect from its passage. (Section 43-507 and 43-509, R.C.M. 1947)  
B—Introduction

6-6. Bills will be checked by the staff of the Legislative Services Division of the Legislative Council prior to consideration by a committee of the legislature, for proper format, style, and legal form. A stamp will be affixed to the bill cover and initialed indicating this review. If such stamp is not affixed at the time the bill is delivered to the appropriate committee chairman, the chairman shall cause the bill to be transmitted to the Legislative Services Division for such review. Members should make every effort to present proposed bills to the Division in advance of introduction of the bill. Bills will be entered on the automated bill drafting equipment and typed to facilitate a more rapid reproduction. If a bill is not so entered prior to introduction, it will not be considered by any committee until it has been so entered.

A bill may be introduced by endorsing it with the name of a member or committee and presenting it to the chief clerk or secretary in quadruplicate. Bills, joint resolutions, and simple resolutions shall be numbered consecutively in each session in separate series in the order of their receipt.

Bills may be pre-filed, numbered and pre-printed prior to a legislative session. This will be the responsibility of the staff of the Legislative Services Division of the Legislative Council. Actual signatures may appear on the face of the pre-filed bill or signatures may be obtained on a consent form from the Legislative Services Division. Additional sponsors may be added at the time of introduction on the first legislative day, on motion of the chief sponsor. These names will be forwarded to the Legislative Services Division to be included on the face of the bill following standing committee approval.

6-7. [All bills except revenue bills, appropriation bills and substitute bills must be received by the chief clerk or the secretary by 5 p.m. of the eighteenth legislative day. Revenue bills must be received by the chief clerk by 5 p.m. of the twenty-fifth day.]

During the first session of any Legislative Assembly bills may be introduced at any time before final adjournment of the session. No bill,



however, introduced after 5 p.m. on the eighteenth legislative day of the first session, except revenue bills, appropriation bills and substitute bills will be considered, save in committee, during that session by the house in which it was introduced, without the consent of that house, or, if so considered and transmitted to the other house, by that house without the consent thereof. To be considered during the first session revenue bills must be introduced by 5 p.m. on the twenty-fifth legislative day. Bills not considered and acted upon during the first session shall carry over with the same status to any other session of the legislature during the biennium, and shall be then considered and acted upon. During any session during the biennium other than the first session, all bills except revenue bills, appropriation bills and substitute bills must be introduced by 5 p.m. of the fifth legislative day following the Governor's initial message to the Legislature. Revenue bills at such sessions following the first session of the biennium must be introduced by 5 p.m. of the tenth legislative day following such passage.

[6-8. No bill for the appropriation of money, except for expenses of the government, shall be introduced within ten days of the close of the session, except by unanimous consent of the house in which it is sought to be introduced. (Montana Constitution, Art. V. Sec. 21)] (to be deleted 7-1-73)

[6-9. All bills appropriating public moneys shall originate in the House of Representatives. A member of the Senate desiring the introduction of a bill carrying an appropriation may transmit it to the Speaker of the House of Representatives, who will provide for its introduction by request.]

[6-10. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments, as in the case of other bills. (Montana Constitution, Art. V. Sec. 32)] (to be deleted 7-1-73)

[6-11. No bill may be introduced or received in a house after that house has finally rejected a bill designed to accomplish the same purpose.]

6-8. During either regular session, no bill may be introduced or received in a house after that house has finally rejected a bill during that biennium designed to accomplish the same purpose save upon approval by the rules committee of the house in which the bill is offered for introduction or reception, nor may any such bill be introduced or received in a house at any special session convened within six months following the final adjournment of the regular or special session in which the bill designed to accomplish the same purpose was finally rejected, unless an emergency exists which in the opinion of the governor or of the members requesting a special session requires the introduction or reception of such bill, and the existence of the emergency and such opinion is set forth in the governor's call or the members' request for a special session.

[6-12.] 6-9. A committee must unanimously consent to the introduction of a committee bill.

C.—First Reading and Commitment.

[6-13.] 6-10. The purpose of the first reading of bills is for information and commitment. A bill shall be read by a summary of its title in the house of origin and by a summary of its title and by its history in the second house.] No motion affecting a bill is in order on its first reading except as provided in Joint Rule 6-6.

Upon introduction or reception of a bill, the chief clerk of the House or the secretary of the Senate shall publicly post upon a listing that bill by a summary of its title in the house of origin and by a summary of its title and by its history in the second house, together with a notation of

the committee to which it has been assigned, and such posting shall constitute the first reading of the bill. (Effective 7-1-73)

[6-14.] 6-11. No bill shall be considered or become a law unless referred to a committee, and returned therefrom. [and printed for the use of the members. (Montana Constitution, Art. V. Sec. 22.)] (Deletions effective 7-1-73)

[6-15.] 6-12. [After the first reading] Upon introduction or reception of a bill, it shall be referred to a committee by the presiding officer. (Effective 7-1-73)

[6-16.] 6-13. A bill may be recommitted at any time before its passage.

#### D.—Amendments and Substitute Bills

[6-17.] 6-14. No law shall be revised or amended, or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended shall be re-enacted and published at length. [Montana Constitution, Art. V, Sec. 25)]

[6-18.] 6-15. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose. (Montana Constitution, Art. V, Sec. [10] 11(1))

[6-19.] 6-16. A committee may recommend that every clause in a bill be changed and that entirely new matter be substituted so long as the new matter is relevant to the title and subject of the bill. A substitute bill shall be considered as an amendment and not as a new bill.

[6-20.] 6-17. The proper form of reporting a substitute bill by a committee is to propose amendments to strike out all of the bill following the enacting clause and to substitute the new bill, recommending also any necessary changes in the title. If a committee report recommending a substitute for a bill originating in the other house is adopted, the substitute bill shall be printed.

[6-21.] 6-18. Amendments to a bill by the second house shall not be further amended by the house in which the bill originated, but must either be accepted or rejected. If the amendments are rejected, a conference committee may be requested by the house in which the bill originated.

[6-22.] 6-19. If a majority of a house recommends the passage of a bill originating in that house after it has been returned from a committee, not less than six hundred copies of the bill shall be printed on canary paper with all amendments incorporated into the printed copies. Bills referred to the bills committee of the house of origin for printing must be reported within three days unless further time is granted by that house.

[6-23.] 6-20. When a bill has been reported favorably by committee of the whole of the house of origin and the report has been adopted, the bill shall be engrossed under the direction of the bills committee, and when reported correctly engrossed by the committee shall be placed on the calendar for third reading on the succeeding legislative day. Committee of the whole amendments shall be included in the engrossed bill. Copies of the engrossed bill to be distributed to legislators will be reproduced on blue paper. If a bill is unamended, contains no clerical errors, and is neatly written, it may be engrossed without retyping.

[6-24.] 6-21. When a bill has passed both houses it shall be enrolled by the Legislative Services Division of the Legislative Council as an act of the legislative assembly under the direction of the bills committee of the house of origin. An original and three duplicate typewritten copies of the bill shall be enrolled, free from all corrections and errors, with a

margin of two inches at the top and one inch on each side, with [thirty] Twenty-five unnumbered lines to the page. In sections amending existing statutes new matter shall be underlined, and matter stricken with a line through it shall be omitted. The typewriting shall be done with a black record ribbon, pica [or elite] type, on [plain linen finished paper or fifty percent rag bond] paper 8½ inches wide and [13] 11 inches long. [weighing sixteen pounds to the ream.] The original and [first copy] two copies only of the bill shall be red lined. The history of the bill shall also be enrolled and placed in back of the bill in a white manuscript cover, upon which is written the number of the bill.

When the enrolling has been completed, the bill shall be examined by the author and the bills committee and reported correctly enrolled. The original and [one copy] two copies shall be signed by the presiding officer of each house [in open session] and presented by the bills committee to the governor. The bills committee shall take a receipt from the governor and shall report to the house the day and hour of such presentation, which shall be entered in the journal. The original and [two unsigned copies] the unsigned copy shall be filed with the secretary of state. [The signed copy shall be filed with the clerk of the supreme court.] Signed copies with chapter numbers assigned, pursuant to Section 82-2209, shall be filed with the clerk of the supreme court and the Legislative Services Division of the Legislative Council. (Deletion of "in open session" effective 7-1-73)

#### F.—Second Reading—Committee of the Whole

[6-25.] 6-22. All bills which have been reported by a committee, accepted by the house concerned and printed, shall be posted on the calendar for consideration by committee of the whole. Until the forty-eighth legislative day, one day must elapse between the time a committee approved bill is printed and consideration by committee of the whole. Bills shall be arranged on the calendar in the order in which they are reported unless otherwise ordered by the house concerned.

[6-26.] 6-23. Every bill considered in committee of the whole shall be read by a summary of its title and by its history and considered section by section.

[6-27.] 6-24. Prior to adoption of a committee of the whole report, a member may move to segregate a bill. If the motion prevails, the bill remains on second reading.

[6-28.] 6-25. When a committee of the whole report on a bill is rejected the bill shall remain on second reading.

[6-29.] 6-26. Either house may resolve itself in to a committee of the whole by approval of a motion for that purpose. So far as may be applicable, the rules governing each house shall be observed when that house resolves itself into a committee of the whole, except as follows:

(1) The only motions in order are: to amend, to recommend passage or non-passage; to recommend concurrence or non-concurrence; to indefinitely postpone; to pass consideration; to rise; to rise and report; and to rise and report progress and ask leave to sit again.

[[2.) A record vote may not be ordered.]

[[3)] (2) The committee may not appoint subcommittees.

[[4)] (3) The committee may not punish its members for misconduct, but may report disorder to the house concerned.

[[5)] (4) Unless otherwise prescribed by either house before going into committee of the whole, a member may speak as often as he is recognized and for as long each time as is allowed in debate in the particular house.



[6-30.] 6-27. After a committee of the whole has been formed, the presiding officer shall appoint a chairman to preside. Upon resuming the chair, the presiding officer shall receive the report of the chairman of the committee and the house shall take action on the report.

#### G.—Third Reading—Governor's Veto

[6-31.] 6-28. No bill shall become a law except by vote of a majority of all the members present in each house, nor unless on its final passage the vote be taken by ayes and noes, and the names of those voting be entered on the journal. (Montana Constitution, Art. V, Sec. [24]) 11(1) and (2)

[6-32.] 6-29. Every bill shall be read three times prior to passage, either by title or by summary of title as provided in these rules. The first reading shall be [prior to commitment] as prescribed in Joint Rule 6-10; the second prior to debate in committee of the whole; and the third, which shall be by complete title prior to final passage. No bill shall receive more than one reading on the same day except on the last legislative day. (Amendment effective 7-1-73)

[6-33.] Every order, resolution or vote, in which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of the business of the two houses, shall be presented to the governor, and before it shall take effect be approved by him, or, being disapproved, be repassed by two thirds of both houses, as prescribed in the case of a bill. (Montana Constitution, Art. V, Sec. 40.)] (Deletions effective 7-1-73)

[6-34. Every bill passed by the legislative assembly shall, before it becomes a law, be presented to the governor. If he approves, he shall sign it, and thereupon it shall become a law, but if he does not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two thirds of the members present agree to pass the same, it shall be sent, together with the objections, to the other house, but which it shall likewise be reconsidered, and if approved by two-thirds of the members present in that house it shall become a law notwithstanding the objections of the governor. In all such cases the vote of each house shall be determined by ayes and nays, to be entered on the days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the legislative assembly shall by their adjournment prevent its return, in which case it shall not become a law without the approval of the governor. No bill shall become a law after the final adjournment of the legislative assembly, unless approved by the governor within fifteen days after such adjournment. In case the governor shall fail to approve of any bill after the final adjournment of the legislative assembly it shall be filed, with his objections, in the office of the secretary of state. (Montana Constitution, Art. VII, Sec. 12)] (Deletions effective 7-1-73)

[6-35.] The governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts approved shall become a law, and the items or items disapproved shall be void, unless enacted in the manner following: If the legislative assembly be in session he shall within five days transmit to the house in which the bill originated, a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto. (Montana Constitution, Art. VII, Sec. 13)] Deletions effective 7-1-73)

6-30. (1) Each bill passed by the legislature, except bills proposing amendments to the Montana Constitution, bills ratifying proposed amendments to the United States Constitution, resolutions, and initiative and

referendum measures, shall be submitted to the governor for his signature. If he does not sign or veto the bill within five days after its delivery to him if the legislature is in session or within 25 days if the legislature is adjourned, it shall become law. The governor shall return a vetoed bill to the legislature with a statement of his reasons therefor.

(2) The governor may return any bill to the legislature with his recommendation for amendment. If the legislature passes the bill in accordance with the governor's recommendation, it shall again return the bill to the governor for his reconsideration. The governor shall not return a bill for amendment a second time.

(3) If after receipt of a veto message, two-thirds of the members present approve the bill, it shall become law.

(4) If the legislature is not in session when the governor vetoes a bill, he shall return the bill with his reasons therefor to the legislature as provided by law. The legislature may reconvene to reconsider any bill so vetoed.

(5) The governor may veto items in appropriation bills, and in such instances the procedure shall be the same as upon veto of an entire bill. (Montana Constitution, Art. VI, Sec. 10) (New Rule 6-30 in its entirety effective 7-1-73)

#### H.—Transmittal of Bills

[6-36.] 6-31. Each house shall transmit to the other with any bill all relevant papers. When a House bill is transmitted from the House of Representatives to the Senate, the secretary of the Senate shall give a dated receipt for the bill to the chief clerk of the House. When a Senate bill is transmitted to the House of Representatives, the chief clerk of the House shall give a dated receipt to the secretary of the Senate.

[6-37. Except for appropriation bills, revenue bills and amendments considered by joint conference committees, no bills may be transmitted from one house to the other after the fortieth legislative day, and no amendments, except to appropriation bills and revenue bills, may be transmitted from one house to the other after the fifty-third day.]

6-32. During the first session of any Legislative Assembly no bills, except for appropriation bills, revenue bills and amendments considered by joint committee need be acted upon (save for reference to a committee by the presiding officer) if transmitted from one house to the other after the fortieth legislative day, but may be held pending in the house to which it is transmitted, and, if so held, it shall be acted upon at a subsequent session during the biennium. Amendments, except to appropriation bills and revenue bills, may likewise be deferred for consideration if transmitted during the first session and after the fifty-third legislative day thereof. At the second regular session of any Legislative Assembly no bills may be transmitted, other than appropriation bills, revenue bills and amendments considered by joint committee, after the fortieth legislative day; and no amendments, except to appropriation bills and revenue bills may be transmitted from one house to the other after the fifty-third legislative day.

[6-38.] 6-33. When a bill has received its third reading or has been rejected, the house that considered the bill shall immediately transmit it to the other house with notice of its action.

#### I.—Fiscal Notes on Bills

[6-39.] 6-34. All bills reported out of a committee of the legislative assembly having an effect on the revenues, expenditures, or fiscal liability of the state, except appropriation measures carrying specific dollar amounts, shall include a fiscal note incorporating an estimate of such effect. Fiscal

notes shall be requested by the chief sponsor through the presiding officer of either house, who shall determine the need for the note at the time of introduction.

The state budget director, in cooperation with the agency or agencies affected by the bill, is responsible for the preparation of the fiscal note and shall return same within six (6) days.

A completed fiscal note shall be submitted by the budget director to the presiding officer who requested it, who shall refer it to the committee considering the bill. All fiscal notes shall be printed and placed on the members' desks.

Fiscal notes shall, where possible, show in dollar amounts the estimated increase or decrease in revenues or expenditures, costs which may be absorbed without additional funds, and long-range financial implications. No comment or opinion relative to merits of the bill shall be included; however, technical or mechanical defects may be noted.

A fiscal note also may be requested on a bill [before the thirty-sixth day,] and on an amendment [before the forty-ninth day,] by

(1) A committee considering the bill, or

(2) A majority of the members of the house in which the bill is to be considered, at the time of second reading.

The budget director shall make available on request to any member of the legislative assembly all background information used in developing a fiscal note. (Section 43-1001 through 43-1006, R.C.M. 1947)

(Material in brackets denotes cancelled type.)

## CHAPTER 7

### Committees

7-1. The committee on legislative administration of each house shall consider all matters concerned with seating, mileage and per diem, legislative employees, the control of legislative property, and the budgeting for and expenditure of appropriations for the operation of the legislative assembly, in cooperation with the business manager.

7-2. A standing committee shall submit a written report in triplicate on all bills or matters referred to it within 7 days after reference, unless at the request of the committee and for good cause shown, further time is granted by the house concerned.

7-3. If the members of a committee cannot agree on a report, the majority and minority of the committee present at a committee meeting may submit separate reports. Only one minority report may be submitted. Such reports shall be entered at length on the journal, unless otherwise ordered by the house concerned.

7-4. All committees shall keep minutes of their meetings and, at the close of the session, shall turn the minutes over to the chief clerk of the House or secretary of the Senate for delivery to the Historical Society.

7-5. The committee on [rules] bills and journal, the rules committee, [the journal committee, the bills committee,] and conference committees may report at any time, except during a call of the house or when a vote is being taken. Reports from the bills and journal committee shall stand approved without formal action.

7-6. All bills providing for an appropriation of public moneys shall first be considered by a joint committee composed of the finance and claims committee of the Senate, and [the appropriations committee of]



the House, and then by each separately. Meetings of the joint committee shall be held upon call of the chairman of the House finance and claims committee who shall be chairman of the joint committee.

7-7. Except as provided in Joint Rule 7-6, the chairman of the Senate committee shall be chairman of all joint committees.

7-8. If either house requests a conference and appoints a committee for the purpose of discussing an amendment on which the Senate and the House of Representatives cannot agree, the other house shall appoint a committee consisting of the same number of members. They shall meet at a convenient time, to be agreed upon by their chairmen, and having conferred, shall report to their respective houses the result of their conference. A conference committee shall confine itself to the disputed amendment.

If either house requests a free conference committee and the other house concurs, appointments will be made the same as above. A free conference committee may discuss a bill in its entirety and is not confined to a particular amendment.

7-9. In joint committees other than conference committees, members vote individually and not by houses. Because conference committees are joint meetings of separate committees, in conference committees the committees from each house vote separately, and a majority of each committee must agree before any action may be taken.

(Material in brackets denotes cancelled type.)

## CHAPTER 8

### Rules and Journal

8-1. Each house shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, [except such parts as require secrecy] and the ayes and noes on any question shall, at the request of any two members, be entered on the journal. [(Montana Constitution, Art. V, Sec. 12)]

8-2. The proceedings of each house which shall be entered on its journal include:

(1) The title and number of each bill when it is introduced: subsequent references may be by number only.

(2) Every motion and the name of the member making it.

(3) Proposed constitutional amendments which have been voted for by two-thirds of the members. (Montana Constitution, Art. XIX, Sec. 9)

(4) Committee reports.

(5) Roll Call votes.

(6) Messages from the governor and the other house.

(7) An entry of the oath taken by the members. (Sec. 43-209, R.C.M. 1947)

8-3. The bills and journal committee [or committees on rules and journal] of each house shall supply the director of the Legislative Services Division of the Legislative Council with the contents of the daily journal to be programmed on automated equipment, examine its journal, distribute a daily journal to all legislators, correct any errors, and report each legislative day immediately after roll call.

8-4. The journal of the Senate must be authenticated by the signature:

of the president, and the journal of the House of Representatives by the signature of the speaker. The distribution of the completed journals shall be made by the Legislative Services Division of the Legislative Council. (Sec. 43-304, R.C.M. 1947)

8-5. (1) A joint rule may be repealed or amended only with the concurrence of both houses, under the procedures adopted by each house for the repeal or amendment of its own rules. (2) a joint rule governing the procedure for handling bills may be temporarily suspended by the consent of two-thirds of the members of either house, insofar as it applies to the house suspending it.

8-6. Mason's Manual of Legislative Procedure governs the proceedings of the Senate and House of Representatives in all cases not covered by these rules.

8-7. The legislative council shall codify and publish in one volume the rules of the Senate, the rules of the House of Representatives and the joint rules of the Senate and the House of Representatives. Upon adoption, the secretary of the Senate and the chief clerk of the House of Representatives shall provide the office of the legislative council with one copy of all motions or resolutions amending Senate, House or joint rules, and with copies of all minutes and reports of the rules committees [or committee on rules and journal relating to rules.] After the rules have been published, the legislative council shall distribute copies as directed by the Senate and House of Representatives.

(Material in brackets denotes cancelled type.)

## CHAPTER 9

### Voting Procedures

9-1. Except as provided in Joint Rule 9-2, every member present when a question is put shall vote unless the house of which he is a member excuses him.

9-2. A member who has a personal or private interest in any measure or bill proposed or pending before the legislative assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon. [(Montana Constitution, Art. V, Sec. 44)]

[9-3. Amendments to the constitution may be proposed in either house, a two-thirds vote of the members elected to each house is required for passage. (Montana Constitution, Art. XIX, Sec. 9)] (Deletions effective 7-1-73)

9-3. Amendments to the constitution may be proposed by any member of the legislature. If adopted by an affirmative roll call vote of two-thirds of all the members of the legislature, the amendment shall be deemed approved by the legislature. (Montana Constitution, Art. XIV, Sec. 8). (Effective 7-1-73)

9-4. When a measure requiring the concurrence of two-thirds of the members is under consideration, a majority vote is sufficient to decide any question relating to the measure short of third reading.

9-5. A roll call vote shall be taken on the request of two members.

9-6. On a roll call vote the names of the members shall be called alphabetically, unless an electrical voting system is used. A member may not vote or change his vote after the decision is announced from the chair. A member may not explain his vote until after the decision is announced from the chair.

9-7. (1) On third reading the question shall be stated as follows:

"Senate (or House) bill number ..... having been read three several times, the question is, shall the bill pass (or be concurred in)."

(2) If an electrical voting system is used the presiding officer shall ring the bell after stating the question and then state "Those in favor vote yea and those opposed vote no." After a reasonable pause the presiding officer asks "Has every member voted?" (reasonable pause) "Does any member wish to change his or her vote?" (reasonable pause) "The clerk (secretary) will now record the vote."

9-8. Two members may pair on a measure that will be determined by a majority vote. On a measure requiring a two-thirds vote for adoption three members may pair, with two members for the measure and one member against. Pairing is permitted only when one of the paired members is absent when the vote is taken.

9-9. An agreement to pair must be in writing and dated and signed by the members agreeing to be bound, and must specify the duration of the pair. When an agreement to pair is filed with the secretary of the Senate or chief clerk of the House of Representatives, it shall bind the members signing until the expiration of time for which it was signed, unless the paired members sooner appear and ask that the agreement be cancelled.

9-10. Every vote of each member of the legislature on each substantive question in the legislature, in any committee, or in committee of the whole shall be recorded and made public. On final passage of any bill or joint resolution the vote shall be taken by ayes and noes and the names entered on the journal. A roll call vote shall be taken on on-substantive questions on the request of two members, who may likewise on any vote, request that the ayes and noes be spread upon the journal. Roll call votes and other votes which are to be made public but are not specifically required to be spread upon the journal shall be entered in the minutes of the appropriate committee or of the appropriate house and a copy of such minutes shall be filed with the Montana State Historical Society. (Montana Constitution, Art. V, Sec. 11(2))

(Material in brackets denotes cancelled type.)

## CHAPTER 10

### Effective Date of Joint Rules

10-1. These rules shall become effective upon passage by both houses, except where they conflict with the 1889 Constitution during the remaining life of that Constitution, in which event the Rules of the 42nd Legislative Assembly shall apply until the effective date of the Constitution of 1972, when the new rules shall become fully effective.

#### Recommended Standing Committees for House and Senate

- (1) Agriculture and Livestock
- (2) Bills and Journal
- (3) Business and Industry
- (4) Constitution, Elections and Federal Relations
- (5) Education
- (6) Finance and Claims
- (7) Fish and Game



- (8) Highways and Transportation
- (9) Judiciary
- (10) Labor and Employment Relations
- (11) Legislative Administration
- (12) Local Government
- (13) Natural Resources and Irrigation
- (14) Public Health, Welfare and Safety
- (15) Rules
- (16) State Administration
- (17) Taxation

(The Senate would, additionally, have a Committee on Committees)

## HOUSE RULES

### CHAPTER 1

#### Presiding Officer—Decorum, Order and Debate

H1-1. The House of Representatives shall elect one of its members Speaker. The House shall choose its other officers, and shall judge of the elections, returns, and qualifications of its members. (Montana Constitution, Art. V, Sec. 9)

H1-2. The House shall elect one of its members Speaker Pro Tempore who shall perform all the duties of the Speaker in the absence of that officer, and on such other occasions as the Speaker may request.

H1-3. No member shall speak for longer than one-half hour in debate on any one motion or question.

H1-4. During committee reports the member reporting the measure under consideration from a committee may, if the measure is debated, open and close. If the debate extends beyond one day he may have one-half hour to close, even if he has used one-half hour in opening.

H1-5. No member shall speak more than once on the same question without the unanimous consent of the House, unless he has proposed or introduced the matter under debate, in which case he may speak in reply after all members choosing to speak have spoken.

### CHAPTER 2

#### Committees

H2-1. The committee on rules shall consist of the Speaker, the Majority Leader, and two other members of the majority party appointed by the Speaker, the Minority Leader, and three members of the minority party designated by the Minority Leader and appointed by the Speaker. The Speaker shall appoint other standing committees, select committees, and House membership on joint committees and conference committees. The standing committees of the House are as follows:

- 1. Agriculture, Livestock and Irrigation
- 2. Bills and Journal
- 3. Business and Industry
- 4. Constitution, Elections and Federal Relations

5. Education
6. Finance and Claims
7. Fish and Game
8. Highways and Transportation
9. Judiciary
10. Labor and Employment Relations
11. Legislative Administration
12. Local Government
13. Natural Resources
14. Public Health, Welfare and Safety
15. Rules
16. State Administration
17. Taxation

#### UNFINISHED BUSINESS

The Speaker appointed the following committees:

Legislative Administration: Edland, Ch., Lynch; V.Cr., Hubing; Norman; Turner.

Finance and Claims: Bardanouve, Ch.; Prevost, V.Ch.; Asbjornson, Baucus, East, Fleming, Glennen, Haines, Holtz, Jacobsen, Kosena, Laas, Lund, Lynch, Manuel, Nichols, Regan.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 43rd Legislative Assembly:

Ed Smith.....	Chief Clerk
Steve Helmbrecht.....	Assistant Chief Clerk
Alice Berner.....	Secretary to Chief Clerk
Margie Mitchke.....	Secretary to Assistant Chief Clerk
Donald Scanlin.....	Sergeant-at-Arms
Elmore Ladwig.....	Assistant Sgt.-at-Arms
Kes Rigler.....	Assistant Sgt.-at-Arms
John Andrews.....	Assistant Sgt.-at-Arms
Diane Danichek.....	Payroll Clerk
George Harper.....	Chaplain
Pat Tyanich.....	Bill Clerk
Patsy Zanto.....	Assistant Bill Clerk
Bonnie Taylor.....	Bills Coordinator
Shelia McDonald.....	Assistant Bills Coordinator
Rosella Wilson.....	Journal Clerk
Kathy Schillinger.....	Assistant Journal Clerk
Virginia Broughton.....	Secretary to Speaker
Roberta Murphy.....	Secretary to Majority Leader
Marie Hensleigh.....	Secretary to Minority Leader
Marty Purcell.....	Reading Clerk
Edna Gunderson.....	Chief Steno
Martha McGee.....	Assistant Chief Steno
Linda Dee Adams.....	Secretary
Pat Bauernfeind.....	Secretary
Judy Mook.....	Secretary

Patricia Romine.....	Secretary
Debbie Jakovac.....	Secretary
Marian Kroll.....	Steno
Miriam Stock.....	Steno
Emelia Satre.....	Steno
Diana Meyer.....	Steno
Shaun Devine.....	Steno
Susan Hansen.....	Steno
Helen Blake.....	Steno
Susan French.....	Steno
Delores Thompson.....	Steno
Jessie Erbe.....	Steno
Connie Laudon.....	Steno
Jan Bartlett.....	Steno
Beulah Morris.....	Proofreader
Dan Sullivan.....	Proofreader
Chuck Morgan.....	Doorman
Kim Hansen.....	Doorman
Greg Axtman.....	Page
Pam Brand.....	Page
Cathie Blaskovich.....	Page
Gene Matelich.....	Page
Mark Mikeson.....	Page
Becky Olsen.....	Page
Kim Schulke.....	Page
Pam Tooke.....	Page
Jack Carney.....	Guide
Trudy Laas.....	Guide
Timothy M. Racicot.....	Night Watchman
Joe Woods.....	Night Watchman
Cordell Brown.....	Night Watchman

EDLAND, Chairman

Report adopted.

Fasbender moved that the House adjourn until January 3, 1973, at 1:30 p.m.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

### THIRD LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 3, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and pledge of Allegiance to the Flag.

On roll call, all members were present except Lien and Burnett, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having exam-



ined the daily journal for the Second Legislative Day, find the same to be correct.

QUILICI, Chairman

### MESSAGES FROM THE OTHER HOUSE

January 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, title and history agreed to and passed, and are herewith transmitted to the House for concurrence.

Senate Bill No. 1, introduced by Groff, et al

Senate Bill No. 2, introduced by Groff, et al

Respectfully,  
WALTER H. MARSHALL  
Secretary of the Senate

January 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, title and history agreed to and passed, and is herewith transmitted to the House for concurrence.

Senate Bill No. 55, introduced by Bertsche, et al

Respectfully,  
WALTER H. MARSHALL  
Secretary of the Senate

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 1 introduced by Groff, Lynch, Turnage, Bollinger, Moore. A bill for an act entitled: "An act appropriating money for the operation of the Forty-third Legislative Assembly; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 2 introduced by Groff, Lynch, Turnage, Bollinger, Moore. A bill for an act entitled: "An act relating to the organization and procedures of the Forty-third Legislative Assembly; prescribing the duties and compensation of legislative employees; and specifying an effective date." Referred to Committee on Finance and Claims.

House Bill No. 1 introduced by Gerke and Lucas. A bill for an act entitled: "An act establishing a six-day week for legislative sessions and providing an effective date." Referred to Committee on Rules.

House Bill No. 2 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to provide for the joint nomination and election of the governor and lieutenant governor in accordance with Article VI, Section 2(2) of the 1972 Montana Constitution; and eliminating the filing fee for the lieutenant governor; amending Sections 23-3304, 23-3308, 23-3314, 23-3321, and 23-3513, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 3 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to lower the qualifying age for the Superintendent of Public Instruction from thirty (30) to twenty-five (25) years to comply with Article VI, Section 3(1) of the 1972 Montana Constitution; amending Section 75-5702, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 4 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to provide for succession to the office of governor to implement Article VI, Section 6(1) and Section 14(7) of the 1972 Montana Constitution." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 5 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to provide that the supreme court determine permanent disability of executive officers to implement Article VI, Section 6(2) of the 1972 Montana Constitution." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 6 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act transferring the Office of State Treasurer to the Department of Administration for administrative purposes only, to comply with Article VI, Section 7 of the 1972 Montana Constitution." Referred to Committee on State Administration.

House Bill No. 7 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to remove the governor's power to pocket veto a bill after legislative adjournment in compliance with Article VI, Section 10(1) of the 1972 Montana Constitution; amending Section 43-505, R.C.M. 1947, and repealing Section 43-506, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 8 introduced by Gerke and Ainsworth (by request). A bill for an act entitled: "An act to comply with Article VI, Section 10(1) of the 1972 Montana Constitution which provides that certain legislative measures need not be submitted to the governor; amending Section 43-501, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 9 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to provide procedures for the amendatory veto in accordance with Article VI, Section 10(2) of the 1972 Montana Constitution; amending Sections 43-502 and 43-503, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 10 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to provide procedures for gubernatorial return of a bill to the legislature after adjournment to comply with Article VI, Section 10(4) of the 1972 Montana Constitution; amending Section 43-504, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 11 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to clarify the executive clemency laws to comply with Article VI, Section 12 of the 1972 Montana Constitution; amending Sections 94-9823, 94-9841 and 94-9842, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 12 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to remove age and sex restrictions in the state militia allowed by Article VI, Section 13(2) of the 1972 Montana Constitution; amending Section 77-102, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 13 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to provide for the Office of Lieutenant Governor implementing Article VI, Section 1(3) of the 1972 Montana Constitution; amending Sections 25-501 and 82-1703, R.C.M. 1947; and

repealing Sections 82-1701, 82-1702 and 94-5418, R.C.M. 1947, which deal with the lieutenant governor as president of the senate." Referred to Committee on State Administration.

House Bill No. 14 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to amend Sections 11-2303, 16-808 and 75-7104, R.C.M. 1947, to delete references to Article XIII, Sections 5 and 6 of the 1889 constitution." Referred to Committee on Local Government.

House Bill No. 15 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to amend Sections 84-308, 84-401, 84-404, 84-405, 84-428, 84-429.2, 84-606, 84-713, 84-715, 84-719 through 84-723, 84-725 through 84-730, 84-732 through 84-734, 84-801, 84-804, 84-901, 84-904, 84-905, 84-907, 84-1004 through 84-1006, 84-1008, 84-1103, 84-1105, 84-1106, 84-1108, 84-1202, 84-1204 through 84-1207, 84-1209, 84-1302, 84-1304 through 84-1306, 84-1308, 84-1403, 84-1405, 84-1406, 84-1408, 84-1412, 84-1501.2, 84-1502 through 84-1504, 84-1505.1, 84-1505.2, 84-1507, 84-1508, 84-1508.2, 84-1509, 84-1512, 84-1514 through 84-1518, 84-1601, 84-1603 through 84-1606, 84-1608, 84-1702, 84-1703, 84-1705, 84-1707, 84-1831 through 84-1832.1, 84-1834, 84-1835, 84-1837, 84-1838, 84-1841 through 84-1844, 84-1847, 84-1849 through 84-1855, 84-1857, 84-1858, 84-1861, 84-2003, 84-2005, 84-2006, 84-2008, 84-2011 through 84-2013, 84-2016, 84-2104 through 84-2106, 84-2108, 84-2203 through 84-2207, 84-2209, 84-2301 through 84-2309, 84-2401 through 84-2404, 84-2412, 84-2502, 84-2503, 84-2505, 84-2507, 84-2508, 84-2602, 84-2603, 84-2605, 84-2607, 84-2608, 84-3503, 84-3513, 84-3515, 84-3516, 84-3803, 84-3806, 84-4003, 84-4116, 84-4502, 84-4818, 84-4820, 84-4821, 84-4823, 84-4826, 84-4901, 84-4903.1, 84-4903.2, 84-4903.5 through 84-4903.13, 84-4907, 84-4907.1, 84-4913, 84-4914, 84-4919, 84-4920, 84-4924, 84-4928, 84-4928.1, 84-4929 through 84-4931, 84-4937 through 84-4940, 84-4942, 84-4943, 84-4946, 84-4948, 84-4950, 84-4951, 84-4955, 84-4956, 84-4958, 84-5210, 84-5402, 84-5406 through 84-5410, 84-5412, 84-5415, 84-5501, 84-5502, 84-5606.2 through 84-5606.4, 84-5606.6, 84-5606.8, 84-5606.13 through 84-5606.17, 84-5606.20 through 84-5606.22, 84-5606.25, 84-5606.27 through 84-5606.31, 84-5902 through 84-5907, 84-6203 through 84-6209, 84-6211, 84-6212, 84-6301, 84-6306, 84-6307, 84-6402 through 84-6408, 84-6410, 84-6606, 84-6607, 84-6801, 84-6806, 84-6807, 84-6902, 84-6907, R.C.M. 1947, to delete all reference to the State Board of Equalization as the tax administering agency for the state and to replace references to the board with the words 'State Department of Revenue'." Referred to Committee on Taxation.

House Bill No. 16 introduced by Shelden and Lucas (by request). A Bill for an act entitled: "An act to provide for a general revision of the tax laws of Montana to implement Article VIII, Sections 3 and 7 of the 1972 Montana Constitution by designating the State Department of Revenue as the tax administration agency for the State of Montana, by replacing the State Board of Equalization with a state tax appeal board, by designating county assessors as agents of the State Department of Revenue, and by providing for County Tax Appeal Boards; and to repeal Sections 84-211, 84-429.10, 84-443, 84-444, 84-445, 84-446, 84-447, 84-453, 84-502, 84-503, 84-4732, 84-4733, 84-4734, and 84-4735." Referred to Committee on Taxation.

House Bill No. 17 introduced by Shelden and Lucas (by request). A bill for an act entitled: "An act to amend Sections 4-354, 7-122, 15-2285, 15-2212, 16-910, 16-2010, 16-3706, 16-3912, 16-3916, 25-605, 25-609, 32-2607, 32-3804, 50-1032, 50-1220, 51-303, 53-703, 53-1013, 53-1025, 59-1109, 59-1110, 66-223, 66-227, 67-2211, 67-2212, 67-2213, 67-2214, 67-2215, 67-2216, 67-2217, 67-2218, 67-2219, 67-2220, 67-2221, 67-2222, 67-2223, 67-2224, 67-2225, 67-2226, 67-2317, 67-2318, 67-2340, 67-2342, 69-3502, 69-3504, 69-3504.1, 69-3923, 69-6007, 71-236, 75-6410.1, 75-6711, 81-928, 81-930, 81-1115, 81-1116, 81-1117, 81-1118, 82-1501, 82-1506, 82-1512, 82-1925.1, 82A-1801, 82A-1803, 82A-1804, 89-1812, 89-2401, 91-502, 91-504, 91-505, 91-506, 91-507, 91-508, 91-509, 91-523, 91-4321, 91-4414.1, 91-4415, 91-4418, 91-4419, 91-4421, 91-4423, 91-4425, 91-4426, 91-4427, 91-4428, 91-4429, 91-4430, 91-4431, 91-4437,



91-4438, 91-4439, 91-4440, 91-4442, 91-4443, 91-4444, 91-4445, 91-4446, 91-4447, 91-4448, 91-4449, 91-4450, 91-4451, 91-4454, 91-4455, 91-4459, 91-4460, 91-4461, 91-4462, 91-4463, 91-4464, 94-1506, and 94-35-260, R.C.M. 1947, to provide for a general revision of the tax laws of Montana to implement Article VIII, Sections 3 and 7 of the 1972 Montana Constitution by designating the State Department of Revenue as the tax administration agency for the State of Montana, by replacing the State Board of Equalization with a State Tax Appeal Board, by designating county assessors as agents of the State Department of Revenue, and by providing for County Tax Appeal Boards; and to repeal Sections 16-1016, 16-3703, and 91-4466, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 18 introduced by Shelden and Lucas (by request): A bill for an act entitled: "An act to amend Sections 79-301, 79-306, and 79-601, R.C.M. 1947, for the codification and general revision of the laws relating to the deposit of state funds and the unified investment program for public funds as required by Article VIII, Section 13 of the 1972 Montana Constitution; and to repeal Sections 79-1201 through 79-1216, and Sections 81-1001 through 81-1003, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 19 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Sections 16-514, 75-5707, 75-6503, 75-6517, 75-6532, 75-6534, 75-6806, 75-6906 through 75-6908, 75-6915, 75-6916, 75-6927, and 75-8107, R.C.M. 1947; to eliminate the census of school age children; and to provide for the distribution of interest and income moneys through state equalization aid to comply with Article X, Section 5(1) of the 1972 Montana Constitution; and to repeal Sections 75-5708, 75-5810, 75-5936 through 75-5938, and 75-6909 through 75-6911, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 20 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 75-7303, R.C.M. 1947, to allow for the acceptance and distribution of moneys provided from federal sources for the express purpose of distribution to non-public education as provided for by Article X, Section 6(2) of the 1972 Montana Constitution." Referred to Committee on Education.

House Bill No. 21 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to create the State Board of Education, the Board of Regents of Higher Education, and the Board of Public Education as provided for by Article X, Section 9 of the 1972 Montana Constitution; to assign powers and duties to the boards; to amend Sections 28-301 through 28-304, 32-21-132, 44-213, 59-1111, 62-214, 66-505, 66-803, 77-909 through 77-911, 79-2002, 80-102, 80-104, 80-107, 80-111, 80-114, 80-118, 80-2203, 82-401, 82A-110, 82A-501, 82A-504, 82A-506, 82A-508, 82A-509, R.C.M. 1947; and to repeal Sections 75-5601 through 75-5608, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 22 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 81-302, R.C.M. 1947, to provide for the manner in which land is to be classified in accordance with Article X, Section 11 of the 1972 Montana Constitution." Referred to Committee on State Administration.

House Bill No. 23 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to revise petition and election requirements for changing county boundaries and county seats in accordance with the provisions of Article XI, Section 2 of the 1972 Montana Constitution; amending Chapters 3, 4 and 5 of Title 16, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 24 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to implement Article XI, Section 3 of the 1972 Montana Constitution by providing for optional forms of county

government; adding county attorney and clerk of the district court to the list of offices that may be consolidated; deleting the non-succession provision for county treasurer; providing that county officers may be elected or appointed; amending Sections 16-2403, 16-2406, 16-2412 and 16-3906, R.C.M. 1947; and repealing Sections 16-901 and 16-2407, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 25 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to allow the qualified electors or legislative bodies of any city or town in the state to adopt a strong mayor form of municipal government; creating a new section to be numbered 11-802.1; and partially implementing Article XI, Section 3 of the Montana Constitution of 1972." Referred to Committee on Local Government.

House Bill No. 26 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 16-2501, R.C.M. 1947, deleting reference to the 1889 constitution and providing for consolidation of offices among counties; implementing Article XI, Section 3 of the 1972 Montana Constitution." Referred to Committee on Local Government.

House Bill No. 27 introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to extend the powers of initiative and referendum to Montana counties; implementing Article XI, Section 8 of the Montana Constitution of 1972." Referred to Committee on Local Government.

House Bill No. 28 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to comply with Article II, Section 28; Article IV, Sections 2 and 4; and Article XII, Section 3(2) of the 1972 Montana Constitution which provide that persons committed to institutions lose only rights necessary to the commitment and regain lost rights automatically; amending Section 23-2701, R.C.M. 1947, and repealing Sections 94-4720 through 94-4725, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 29 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to create the Office of Consumer Counsel to comply with Article XIII, Section 2 of the 1972 Montana Constitution; and providing an immediate effective date." Referred to Committee on Business and Industry.

House Bill No. 30 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to create the Montana Salary Commission, to comply with Article XIII, Section 3 of the 1972 Montana Constitution." Referred to Committee on State Administration.

House Bill No. 31 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act providing a code of ethics for state officers and employees to implement Article XIII, Section 4 of the 1972 Montana Constitution by amending Section 59-501, R.C.M. 1947; amending Section 82-1922, R.C.M. 1947, to delete provisions concerning conflicts of interest; and repealing Section 82-1144, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 32 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Sections 2 and 9 of the 1972 Montana Constitution concerning constitutional revision by providing two (2) forms of people's initiative petitions, time for filing petitions, and amending Section 37-109, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 33 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Section 3 of the 1972 Montana Constitution, providing for the submission of the question of whether or not to hold a constitutional convention at least every twenty (20) years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 34 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Sections 8 and 9(3) concerning amendment by initiative of the 1972 Montana Constitution by providing a new effective date for constitutional amendments; amending Section 37-108, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 35 introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Section 9(2) concerning amendment by initiative of the 1972 Montana Constitution by providing new timing for publication of proposed amendments to the constitution; amending Section 23-2802, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 36 introduced by Watt: A bill for an act entitled: "An act providing for the replacement of property taxes on habitable property and certain personal property with a tax on total personal income; defining habitable property and providing for its separate listing; and providing for withholding." Referred to Committee on Taxation.

Watt moved that additional sponsors be added and requested a Fiscal note.

Motion granted.

House Bill No. 37 introduced by Bardanouve and Cox: A bill for an act entitled: "An act appropriating thirty-two thousand three hundred twenty dollars (\$32,320) to the legislative council from the general fund for State of Montana dues to the council of state governments for the 1973-1975 biennium." Referred to Committee on Finance and Claims.

Brand moved that additional sponsors be added for House Bills Nos. 38, 39 and 44.

Motion granted.

House Bill No. 38 introduced by Brand: A bill for an act entitled: "An act to authorize a court to confine a defendant to an extended period of confined custody or treatment if it finds the defendant to be a habitual offender; and providing a procedure for determining whether the defendant is a habitual offender." Referred to Committee on Judiciary.

House Bill No. 39 introduced by Brand: A bill for an act entitled: "An act amending Section 53-438, R.C.M. 1947, to provide that motor vehicle insurance carriers cannot refuse any citizen with a valid Montana driver's license the right to purchase a Motor Vehicle Liability Policy." Referred to Committee on Judiciary.

House Bill No. 40 introduced by Kosena: A bill for an act entitled: "An act to amend Section 89-3411, R.C.M. 1947, to provide for the inclusion of costs of preliminary and feasibility studies for water conservancy districts as costs of construction." Referred to Committee on Natural Resources.

House Bill No. 41 introduced by Kosena: A bill for an act entitled: "An act to amend Section 89-3404, R.C.M. 1947, to require a petition signed by ten percent (10%) of the voters in a water conservancy district before a preliminary survey is initiated." Referred to Committee on Natural Resources.

House Bill No. 42 introduced by Prevost: A bill for an act entitled: "An act to amend Section 82-1919, R.C.M. 1947, to provide a definition for a 'public exigency.'" Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 43 introduced by Bardanouve: A bill for an act entitled: "An act appropriating money to the legislative services division of the



legislative council for the lease and installation of bill status visual screens." Referred to Committee on Finance and Claims.

House Bill No. 44 introduced by Brand: A bill for an act entitled: "An act to require walkways on both sides of railroad trestles and bridges." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 45 introduced by Brand: A bill for an act entitled: "An act providing for increased penalties for criminal sale of dangerous drugs; and amending Section 54-132, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 46 introduced by Brand: A bill for an act entitled: "An act providing for increase penalties for littering and suspension of camping permit for conviction of littering; and amending Sections 94-3339 and 26-812, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 47 introduced by Norman: A bill for an act entitled: "An act to amend Section 84-1302, R.C.M. 1947, raising the strip coal mines license tax." Referred to Committee on Taxation.

House Bill No. 48 introduced by Gerke (by request): A bill for an act entitled: "An act adding the auditor to the State Board of Land Commissioners to implement Article X, Section 4, of the 1972 Montana Constitution; amending Sections 81-103 and 82-904, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 49 introduced by Bardanoue: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) to the legislative council in reimbursement for extraordinary expenses incurred in implementing the provisions of the Montana Constitution of 1972; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 50 introduced by Swanberg and East: A bill for an act entitled: "An act to amend Section 10-501, R.C.M. 1947, to change the definition of a dependent or neglected child to include children up to and including the age of eighteen (18) years." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 51 introduced by East and Cox: A bill for an act entitled: "An act for a new chapter in Title 10 to establish a youth services advisory council and to provide for its functions and duties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 52 introduced by Hodges, Norman, Kimble, Staigmiller and Tierney: A bill for an act entitled: "An act increasing income allowed retired married couples to qualify for Class 8 property tax classification; providing for the filing of the application for such classification in January and for the adjustment of prior taxes; and amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 53 introduced by Lockrem, Kvaalen, Cox, Tierney, Hager and Lucas: A bill for an act entitled: "An act amending Section 75-6916, R.C.M. 1947, dedicating the state share of federal revenue sharing funds to the earmarked revenue fund for state equalization aid to public schools; providing an effective date." Referred to Committee on Education.

House Bill No. 54 introduced by R. Harper, Lucas, McKittrick, Fagg, Greely, Brown, Bradley, Fasbender, Norman, Gunderson, Regan, Lynch, Cox, Tierney, Menahan, Towe, Mehrens, Ellerd, Colberg, Fleming, Hager, Zimmer, Cotton, Kosen, Roberts, Stoltz, Clemow, Healy, Flynn, Lombardi, Brand, Bardanoue, Lee, Shelden, Baeth, Staigmiller, Laas, Holmes, Driscoll, Hall, Hodges, Kendall, Johnston, Marbut, Swanberg, Bennetts, Kimble, Watt, Baucus, Quilici, Murphy: A bill for an act entitled: "An act to be cited as the Montana Unfair Trade Practices and Consumer Protection Act of 1973; prohibiting unfair trade practices and providing investigation pro-

cedures and penalties for violations of the act." Referred to Committee on Business and Industry.

House Bill No. 55 introduced by Bardanoue, Fleming, Asbjornson, Jacobsen, Nichols: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 56 introduced by Bardanoue, Kosena, Glennen, Manuel: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 57 introduced by Bardanoue, Laas, East, Holtz: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 58 introduced by Lockrem, Hager: A bill for an act entitled: "An act pertaining to assessment of agricultural lands; providing for procedure, defining agricultural lands, establishing a penalty, and amending Section 84-401, R.C.M. 1947, to except agricultural land from the provision requiring land to be assessed at its full cash value." Referred to Committee on Taxation.

House Bill No. 59 introduced by Lockrem, Quilici. A bill for an act entitled: "An act providing that disability insurance policies and plans covering members of the insured's family as well as the insured shall grant immediate accident and sickness coverage, from and after the moment of birth, to each newborn infant of any insured; and amending Sections 40-4002, 40-4101 and 40-4102." Referred to Committee on Business and Industry.

### UNFINISHED BUSINESS

The Speaker appointed the following to standing committees:

**AGRICULTURE, LIVESTOCK AND IRRIGATION**—Fleming, Chairman; Edland, Vice-chairman; Brand, Clemow, Cotton, Ellerd, Galt, Gundersen, Hageman, Hager, Johnston, Kolstad, Nichols, Prevost, Smith, Staigmiller, and Stephens.

**BILLS AND JOURNAL**—Quilici, Chairman; Fleming, Vice-chairman; Barrett, Kimble, and Walborn.

**BUSINESS AND INDUSTRY**—Mehrens, Chairman; Lien, Vice-Chairman; Driscoll, Hageman, R. Harper, Hodges, Kessner, Lockrem, Aageson, Manuel, Mercer, Olson, Quilici, Regan, Rolfe, Selstad, Swanberg.

**CONSTITUTIONAL, ELECTIONS AND FEDERAL RELATIONS**—Lombardi, Chairman; Greely, Vice-chairman; Ainsworth, Castles, Haines, Hall, Halvorson, H. Harper, Kendall, Kosena, Murphy, Schye, and Watt.

**EDUCATION**—Gunderson, Chairman; Cotton, Vice-chairman; Barrett, Bradley, Cox, Forsgren, Holmes, Hubing, Lund, Lynch, Marks, Menahan, Murphy, Schepens, Shelden, Stoltz, and Warfield.

**FINANCE AND CLAIMS**—Bardanoue, Chairman; Prevost, Vice-chairman; Asbjornson, Baucus, East, Fleming, Glennen, Haines, Holtz, Jacobsen, Kosena, Laas, Lund, Lynch, Manuel, Nichols, and Regan.

**FISH AND GAME**—Staigmiller, Chairman; Johnston, Vice-chairman; Barrett, Baucus, Brand, Clemow, Forsgren, Galt, Hager, Huennekens, Menahan, Prevost, Roberts, Seifert, and Stephens.

**HIGHWAYS AND TRANSPORTATION**—Laas, Chairman; Healy, Vice-chairman; Aageson, Baeth, Campbell, Cotton, Glennen, R. Harper, Kendall, Lien, Rolfe, Selstad, Staigmilller, Walborn, and Watt.

**JUDICIARY**—Hall, Chairman; Yardley, Vice-chairman; Lucas, Baeth, Baucus, Bell, Brown, Greely, Marbut, McKittrick, Roberts, Towe, and Warfield.

**LABOR AND EMPLOYMENT RELATIONS**—McKittrick, Chairman; Lombardi, Vice-chairman; Baeth, Bell, Bennetts, Colberg, East, Ellerd, Flynn, Hodges, Kimble, Lee, Tierney, Turman, Turner.

**LEGISLATIVE ADMINISTRATION**—Edland, Chairman; Lynch, Vice-chairman; Hubing, Norman, and Turner.

**LOCAL GOVERNMENT**—Kosena, Chairman; Kendall, Vice-chairman; Bradley, Cox, Holtz, Jacobsen, Jones, Kimble, Lockrem, Lombardi, Marks, Mehrens, Roberts, Schepens, Smith, Turman and Zimmer.

**NATURAL RESOURCES**—Shelden, Chairman; Bradley, Vice-chairman; Ainsworth, Castles, Colberg, H. Harper, Huennekens, Johnston, Lien, Lucas, Lundgren, Quilici, Schepens, Schye, Stoltz, Swanberg and Walborn.

**PUBLIC HEALTH, WELFARE AND SAFETY**—Lee, Chairman; Norman, Vice-chairman; Asbjornson, Bennetts, Brown, Driscoll, Fagg, Hall, Healy, Holmes, Jones, Marbut, McKittrick, Olson, Turner, Yardley and Zimmer.

**RULES**—Fasbender, Gerke, Hall, Kvaalen, Laas, Lockrem, Nichols, Selstad.

**STATE ADMINISTRATION**—Brand, Chairman; Greely, Vice-chairman; Bardanouve, Burnett, Campbell, Flynn, Gunderson, Hageman, Hodges, Johnston, Kessner, Marks, Menahan, Mercer, Seifert, Towe, and Ulmer.

**TAXATION**—Watt, Chairman; Healy, Vice-chairman; Burnett, Edland, Fagg, Halvorson, Kolstad, Lundgren, Norman, Stephens, Swanberg, Tierney, Towe, Ulmer and Yardley.

## MOTIONS AND RESOLUTIONS

Kvaalen moved that the Speaker be authorized to appoint a committee of five to notify the Governor that the House of Representatives is now organized and ready for business. Motion failed.

Fasbender moved that a Necrology Committee be appointed. Motion passed. The Speaker appointed the following committee: Zimmer, Menahan, Baucus, Hager and Brown.

Fasbender moved that Rules be suspended and place Senate Bill No. 1 on Second Reading this day. Motion carried.

## MESSAGES FROM THE GOVERNOR

Following is the Supplement to Executive Budget, 1973-1975, submitted by Thomas L. Judge, Governor:

The following amendments to the executive budget represent the priorities and policies of my administration.

I have enumerated specific programs and the costs which can be funded under the revenue structure of the Executive Budget with the exception of proposed increases in the School Foundation Program.

This budget is based on the reduction of the Income Tax Surcharge from 40 to 10 percent—a saving to Montana taxpayers of 34 million in the next two years. And I strongly urge the Legislature to maintain the surcharge at the 10 per cent level.



## MEDICAID

I recommend that medical, hospital and nursing home care under Medicaid be extended to an additional 15,000 needy Montanans. Presently, only those people on welfare qualify for Medicaid and this acts as an incentive to remain on the general assistance rolls. Expansion of Medicaid coverage will provide necessary medical assistance for many senior citizens and children.

The total cost of this program to the state will be \$2 million, which will result in a addition \$6 million in federal funds for the biennium to provide local property tax relief of \$430,000. I propose to finance the extension of Medicaid coverage with \$270,000 from the General Fund and the \$1.75 million Montana will save by transferring the adult categories of welfare to the federal government under HR 1.

## KINDERGARTENS

Today, 38 states provide funding for kindergarten programs. Statistics demonstrate that about one-half of all growth in intelligence occurs between birth and the age of four, and that more than half of the remaining development occurs before the age of nine. If a child's intellectual growth is stifled before the age of six, his chances of success in the educational system are seriously impaired.

I propose that sufficient funds be appropriated to initiate a regular kindergarten program comprised of at least 180 half-days each year, providing an estimated 12,000 five-year-old children with the enrichment opportunities afforded by such instruction.

A good kindergarten program for Montana can be funded with a \$2 million appropriation.

Specific legislation to implement this program will be presented for your consideration.

## DAY CARE CENTERS

Children should be provided adequate day care to give mothers the opportunity to work if they choose. I propose the appropriation of state funds for day care centers. The state portion would be matched with 75 per cent federal, and 10 per cent local funds to expand day care programs in Montana. I request \$200,000 in state funds for this purpose.

## ACCESS

The present budget of the Department of Fish and Game calls for \$200,000 in earmarked funds to be matched on a 50-50 basis with federal money to acquire fishing access sites.

I propose an additional \$300,000 in earmarked funds be allocated to acquire small game and fishing access areas. Matched with federal money this would provide Montana with a \$1 million access program. This would be a 150 per cent increase in our efforts to acquire and develop access sites for Montana sportsmen. This will be financed with Fish and Game earmarked funds.

## PUBLIC RECREATION

Currently there is \$3.6 million in federal matching funds available to state and local government for acquisition of land and development facilities for public outdoor recreation purposes. In 1971 we utilized less than one-half of these funds.

In the past, the state parks operations and maintenance budget of the Department of Fish and Game has not been adequately funded. When this budget was eventually depleted, it was necessary to transfer funds that

could have been matched with federal monies to operate and maintain state parks. This diversion has resulted in the substantial loss of federal matching funds for recreational development.

I propose to increase the budget of the Department of Fish and Game by \$200,000 so that available matching funds will not be spent on operations and maintenance.

#### RESOURCES INDEMNITY TRUST FUND

The purpose of this levy is to provide a lasting benefit for Montanans for the extraction of our non-renewable resources—specifically coal, metal mines, oil and natural gas. A levy of one half of one percent would be assessed against the gross value of production of these resources. The proceeds would go into a trust fund. The interest would be available for immediate problems and the principal would be held to solve problems and provide opportunities when the resources was ultimately depleted. The indemnity fund would raise \$1 million per year. Conservatively invested, it would produce interest earnings of approximately \$50,000 annually.

#### COAL TASK FORCE

The budget provides for an increase in staff for the Coal Task Force, which is vital to assess the effects of strip mining on Eastern Montana.

#### COAL TAX

I propose that we increase the tax on coal extracted in Montana by 10¢ per category. This will produce \$4 million in revenue for the general fund in the next biennium.

#### OFFICE OF GOVERNMENT OPERATIONS

The Executive Reorganization Program—approved by the people and authorized by the Legislature—has made the most significant contribution to the operation of state government in more than fifty years. Executive Reorganization is a continuing process, however, and it cannot be relegated to the status of a periodic review of government.

I propose an Office of Government Operations which would have the ability to detect functional deficiencies, evaluate government organization and operation, insure that legislative audit recommendations are carried out and provide research and planning support for the Governor.

This office will replace the current Executive Reorganization office. This program can be financed with approximately \$70,000 from the general fund and \$140,000 in available federal monies. I believe the Office of Government Operations is necessary to assure continued economy and efficiency in state government.

#### DEPARTMENT OF REVENUE

Last year for the first time, the Department of Revenue audited out-of-state corporations doing business in Montana. The audits resulted in substantial revenue collections from out-of-state corporations. This program is a good investment to assure that these businesses pay their fair share of Montana taxes. I propose to increase the field audit staff by two at a cost of \$60,000.

I propose that the Department provide supplemental services to all agencies who cannot collect accounts receivable. This service would cost \$130,000; however, the state would get this back several times.

#### LONG RANGE BUILDING PROGRAM

The \$11 million Long Range Building Program for the next biennium will be financed on a cash basis. This action will save the state approxi-

mately \$1 million per year in interest payments. The program has gradually been converted from 30-year bonds to a pay-as-you-go basis. Certainly, ten or twenty year bonds are acceptable in certain instances. A continuing program such as long range building, however, should be carried out on a cash basis if at all possible.

#### FEDERAL-STATE COORDINATOR'S OFFICE

I recommend enactment of a budget for the office of the Federal-State Coordinator calling for increases from the present level of \$55,000 a year to approximately \$76,000 in the next fiscal year and, \$79,000 in fiscal 1975.

Montana is heavily dependent on federal financial support.

According to the Congressional Quarterly, Montana received \$195 per capita in Federal Government grants in 1970. Only three states and the District of Columbia received more assistance.

It is evident that without the assistance of the Office of the Federal-State Coordinator, working closely with members of Montana's Congressional delegation, we would not have received mitigation for game losses resulting from the construction of Libby Dam, or assurances for construction of the fish hatchery at the site, or assumption by the federal government of responsibility for compensation of workers, businesses and others affected by the termination of the ABM construction program, or the initiation of educational, industrial and other programs at Glasgow Air Force Base.

Also, creation of the Old West Regional Commission would not have been possible without an active and viable Federal-State Coordinator's Office.

I propose that the office will have expanded duties in the future, including a more aggressive program to identify and secure necessary federal aid programs for state and local government and education and to protect Montana's interest in the federal system.

#### LOCAL GOVERNMENT TAXATION STUDY

I urge the Legislature to consider an appropriation of \$50,000 to the Department of Revenue to conduct a comprehensive analysis of the local property tax structure. This study could be the basis for recommendations to reduce and reform property taxation.

#### OFFICE OF THE LIEUTENANT GOVERNOR

The new Constitution requires the Lieutenant Governor to be a full-time member of the executive branch of state government. I recommend a biennial budget of \$70,000 for salary, expenses and a secretary for the Lieutenant Governor. His duties would include serving as a citizen's advocate and special assignments delegated by the Governor, such as maintaining a close liaison with the coal development in Eastern Montana.

#### HIGHWAY SAFETY

In the year just ended, a record number of Montanans were killed in traffic accidents. This carnage—the tragic loss of life, crippling injuries and property damage—must be reduced. The executive budget provides for an additional 25 Highway Patrolmen and equipment. I strongly urge your support of this proposal.

I also call your attention to proposed legislation which would substitute an optional defensive driving course for the present practice of suspending driving privileges. I endorse the one-year pilot program proposed by the Department of Intergovernmental Relations. It would be funded by the federal government. The goal of the program is to create



and reinforce safe driving practices among consistent violators and new drivers.

I urge your favorable consideration of the request of the Department of Health and Environmental Sciences for a Coordinator of Emergency Medical Services. I also assure you that I will continue the effort to obtain federal assistance to improve emergency medical treatment and facilities for Montana communities.

### ECONOMIC DEVELOPMENT

The budget includes a request to increase the staff of the Division of Planning and Economic Development by adding two specialists to assist state and local government in their economic development programs.

We must make a greater effort to create job opportunities for the unemployed and the young who are leaving the state and to provide an expanded tax base to support good schools and needed government services.

Montana can afford to be selective about the kinds of businesses that we attract.

Our wholesome environment and unlimited recreational advantages make Montana a highly desirable place to live and work. These qualities must not be sacrificed in our economic development program.

Tourism is Montana's third largest industry.

As a result of expanded promotional activities of the State Advertising Unit, tourist inquiries are up over 100% in the past four years.

Visitors who came to Montana last year as a direct result of national advertising spent \$71 million dollars here. The state realized close to \$500,000 in gasoline taxes alone from these visitors.

I propose a new program to attract out-of-state conventions and group tours to Montana.

Private business has indicated an interest in participating financially in this program.

Our promotional efforts could be enhanced by adding a professional writer to publicize our state in national media.

Our entire tourist promotion program must be redirected to promote Montana as a year-around playground, as opposed to efforts in the past which concentrated on bringing tourists to Montana only during the summer months.

This expanded effort will require an additional \$150,000 per year from the Highway Trust Fund.

### POST SECONDARY EDUCATION

I urge the Legislature to carefully review the budget for the University units, vo-tech schools, community colleges and the State Library Commission.

There is a great need to study the entire post secondary system of 14 units to determine our priorities and establish the level at which we can support post secondary schools and still maintain quality education.

Federal funds for a comprehensive study of post secondary education could be obtained under section 1202 of the amendments to Title XII of the Higher Education Act of 1965. I have proposed \$150,000 in state matching funds to conduct this study.

# WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION (W. I. C. H. E.)

Funds to enable Montana students to attend medical, dental and other professional schools in other states have been increased in the Executive Budget. I support this recommendation.

## TWO-MILL LEVY

If this assembly accepts my budgetary and funding recommendations it will not be necessary to reimpose the emergency two-mill statewide property tax levy during the 1975 biennium. This would represent the first time in the history of the state that the emergency levy has not been imposed in four consecutive years. If successful, this would mean a total of \$8 million in property tax relief in the 1973 and 1975 bienniums.

## SCHOOL FOUNDATION PROGRAM

I urge this assembly to implement my recommendation that the Foundation Program schedules be increased five per cent each year of the next biennium.

The present executive budget for the next biennium already recommends an increase of \$7.5 million to the Foundation Program. That figure represents full funding of the state's share of the program at the present schedules.

My recommendation would represent an additional \$12.75 million to the program in the next two years.

Altogether, these proposals mean direct property tax relief amounting to \$20.25 million.

This is the first time in the history of state government that a Governor has recommended an increased schedule for the Foundation Program and has also provided funding for that increase within the existing tax structure.

The School Foundation Program is fully funded under present schedules. It is fully funded under my prepared increases in schedules.

If this Legislature desires to go beyond this proposal, I strongly urge that you provide the revenue to fully fund any increase, to do otherwise will penalize the local property taxpayer.

Detailed schedules of my recommendations and the method of funding are attached.

## STATE OF MONTANA SUMMARY OF GOVERNOR-ELECT BUDGET RECOMMENDATIONS BUDGET RECOMMENDATIONS GENERAL FUND—1975 BIENNIUM

Schedule 1	Fiscal Year 1973-74	Fiscal Year 1974-1975	Biennium 1973-75
<b>Recommendation</b>			
Office of the Lt. Governor .....	\$ 35,900	\$ 34,100	\$ 70,000
State Parks Program .....	100,000	100,000	200,000
Day Care Centers .....	100,000	100,000	200,000
Department of Revenue:			
Corporation Auditors .....	30,000	30,000	60,000
Local Gov't Taxation Study .....	25,000	25,000	50,000
Accounts Receivable .....	80,000	50,000	130,000
Kindergarten .....	991,000	1,009,000	2,000,000
Medicaid .....	270,000	0	270,000
Foundation Program .....	4,230,000	8,520,000	12,750,000
Post Secondary Education Study .....	150,000	0	150,000
<b>Total Recommendations .....</b>	<b>\$ 6,011,900</b>	<b>\$ 9,868,100</b>	<b>\$ 15,880,000</b>

STATE OF MONTANA  
SUMMARY OF GOVERNOR-ELECT BUDGET RECOMMENDATIONS  
PROPOSED FUNDING  
GENERAL FUND—1975 BIENNIUM

Schedule 2	Amount
<b>Recommendation</b>	
Office of the Lt. Governor .....	\$ 70,000
State Parks Program .....	200,000
Day Care Centers .....	200,000
Department of Revenue:	
Corporation Auditors .....	\$ 60,000
Local Government Taxation Study .....	50,000
Accounts Receivable System .....	130,000
Kindergarten .....	2,000,000
Medicaid .....	270,000
Foundation Program .....	12,750,000
Post Secondary Education Study .....	150,000
<b>Total Recommendations</b> .....	<b>\$ 15,880,000</b>
<b>Proposed Funding</b>	
Reserved in Executive Budget .....	\$ 4,500,000
Reserved for Highway Patrol Salaries .....	4,000,000
Increase in Coal Tax .....	4,000,000
Balance in General Fund .....	180,000
Increase Reversions .....	2,200,000
Excess Reserve in Building Program .....	1,000,000
<b>Total Funding</b> .....	<b>\$ 15,880,000</b>

STATE OF MONTANA  
SUMMARY OF GOVERNOR-ELECT BUDGET RECOMMENDATIONS  
PROJECTED GENERAL FUND CONDITION  
For the Biennium Ending June 30, 1973

Schedule 3	Actual Fiscal Year 1971-72	Anticipated Fiscal Year 1972-73	Anticipated Biennium 1971-73
Balance July 1 .....	\$ (4,618,994)	\$ 7,493,108	\$ (4,618,994)
<b>Add Revenue:</b>			
Business Taxes & Licenses ....	7,356,880	8,550,300	15,907,180
Inheritance Tax .....	4,233,991	4,300,000	8,533,991
Corporation License Tax .....	7,326,719	7,766,000	15,092,719
Individual Income Tax .....	43,620,321	41,349,000	84,969,321
Long-Range Bond Excess ....	7,540,000	8,685,000	16,225,000
Liq. & Cig. Licenses & Tax ..	10,047,903	10,250,400	20,298,303
Liquor Board Profits .....	5,950,000	6,250,000	12,200,000
Property Tax .....	198,127	150,500	348,627
Public Institutions Reimb. ..	1,196,909	1,999,500	3,196,409
Public Utilities Taxes & Lic.	2,900,677	2,950,700	5,851,377
Severance Taxes & Licenses	4,474,360	5,539,000	10,013,360
Other Income .....	4,133,493	4,376,800	8,510,293
<b>Total Revenue</b> .....	<b>\$ 98,979,380</b>	<b>\$ 102,167,200</b>	<b>\$ 201,146,580</b>
<b>Total Funds Available</b> .....	<b>\$ 94,360,386</b>	<b>\$ 109,660,308</b>	<b>\$ 196,527,586</b>



## Deduct:

Appropriations 1971-73 .....	\$ 92,927,605	\$ 92,841,493	\$ 185,769,098
Accruals & Appropriations			
Carried Forward .....	945,209	6,048,581	945,209
Emergency & Disaster Fund .....	750,000	0	750,000
Inter-Fund Transfers .....	1,202,809	0	1,202,809
Appropriations Transferred (Supplemental) .....	569,105	(569,105)	0
Total Appropriations .....	96,394,728	98,320,969	188,667,116
Accruals & Appropriations Not Expended .....	(6,048,581)	(1,000,000)	(1,000,000)
Net Appropriations .....	90,346,147	97,320,969	187,667,116
Direct Gen. Fund Expenditures .....	7,208	0	7,208
Inter-Fund Transfers .....	(1,429,043)	0	(1,429,043)
Reserve Legis. Appropriations .....	0	1,500,000	1,500,000
Reserve Suppl. Appropriations .....	0	1,000,000	1,000,000
Reserve for Re-Appropriations .....	0	750,000	750,000
Reserve for Corp. Tax Refunds .....	0	3,000,000	3,000,000
Total Deductions .....	88,924,312	103,570,969	192,495,281
Less Allowance for Reversions .....	2,057,034	1,900,000	3,957,034
Total Deductions Less Reversions .....	86,867,278	101,670,969	188,538,247
Projected Balance June 30 .....	7,493,108	7,989,339	7,989,339

STATE OF MONTANA  
SUMMARY OF GOVERNOR-ELECT BUDGET RECOMMENDATIONS  
PROJECTED GENERAL FUND CONDITION  
For the Biennium Ending June 30, 1975

Schedule 4	Fiscal Year 1973-74	Recommended Fiscal Year 1974-75	Biennium 1973-75
Projected Balance July 1 .....	\$ 7,989,339	\$ 4,307,872	\$ 7,989,339
Add Revenue:			
Business Taxes & Licenses ....	8,218,200	8,579,300	16,797,500
Inheritance Tax .....	4,475,000	4,650,000	9,125,000
Corporation License Tax .....	8,232,000	8,726,000	16,958,000
Individual Income Tax .....	37,949,000	41,744,000	79,693,000
Long-Range Bond Excess .....	8,783,000	9,599,000	18,382,000
Liq. & Cig. Licenses & Taxes .....	10,730,000	11,233,000	21,963,000
Liquor Board Profits .....	6,656,000	7,089,000	13,745,000
Property Tax .....	50,700	25,700	76,400
Public Institutions Reimburse. ....	3,062,000	3,224,100	6,286,100
Public Utilities Taxes & Lic. ..	3,037,000	3,136,200	6,173,200
Severance Taxes & Licenses ..	7,696,000	8,220,000	15,916,000
Other Income .....	4,545,000	4,743,900	9,288,900
Total Revenue .....	\$ 103,433,900	\$ 110,970,200	\$ 214,404,100
Total Funds Available .....	\$ 111,423,239	\$ 115,278,072	\$ 222,393,439
Deduct:			
Recommended Approp. for			
Legislative Branch .....	\$ 488,437	\$ 516,105	\$ 1,004,542
Judicial Branch .....	1,309,131	1,324,607	2,633,738
Executive Branch .....	101,967,799	108,173,940	210,141,739

Total Reco'md Appropriations	103,765,367	110,014,652	213,780,019
Add Reserve for			
Supplemental Approp. ....	0	1,000,000	1,000,000
Legislative Expenses ....	1,750,000	1,750,000	3,500,000
(including Council)			
Building Program .....	2,500,000	3,000,000	5,500,000
Corporate Tax Refunds ....	1,000,000	1,000,000	2,000,000
Total Deductions .....	109,015,367	116,764,652	225,780,019
Less Allowance for Reversions	1,900,000	1,900,000	3,800,000
Total Deductions			
Less Reversions .....	\$ 107,115,367	\$ 114,864,652	\$ 221,980,019
Projected Balance June 30 .....	\$ 4,307,872	\$ 413,420	\$ 413,420

## REPORTS OF STANDING COMMITTEES

January 3, 1973

Mr. Speaker: We, your Committee on Finance and Claims having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

BARDANOUE, Chairman

Report adopted.

A point of order was made by Hall that a recorded vote on the committee report should have been taken. The Speaker referred the point of order to the Rules Committee. Fasbender moved that the House recess for 15 minutes in order for the Rules Committee to meet.

Motion carried.

House in recess.

## REPORTS OF STANDING COMMITTEES

January 3, 1973

Mr. Speaker: We, your Committee on Finance and Claims having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

BARDANOUE, Chairman

Kvaalen objected to the Finance and Claims committee meeting while the House was in session, according to Mason's Rules of Order.

Fasbender moved that the House stand in recess for ten minutes in order for the Finance and Claims Committee to meet.

Motion carried.

House resumed.

Committee on Rules reported that there was no report at this time. They will be meeting with the Senate Rules Committee later to resolve this question.

January 3, 1973

Mr. Speaker: We, your Committee on Finance and Claims having had under consideration Senate Bill No. 1 respectfully report as follows: That Senate Bill No. 1 be concurred in.

BARDANOUE, Chairman

Report adopted by a vote of 93-0.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 1 be concurred in.

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and place Senate Bill No. 1 on Third Reading this day.

Motion carried.

## THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 1 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Clemow, Schye, Warfield. Total 3.

Excused: Burnett, Lien. Total 2.

Fasbender moved that the House adjourn until 1:30 p.m., January 4, 1973.

Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk



## FOURTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 4, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Reverend George Harper.

Pledge of Allegiance to the Flag, by the assembly.

On roll call, all members were present except Asbjornson, Fleming, Forsgren, R. Harper, Jacobsen, Lien, Menahan and Nichols, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the Journal of the Third Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 4, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration Joint Rules Nos. 9-10, respectfully report as follows: That Joint Rules Nos. 9-10 be adopted.

FASBENDER, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following persons be employed by the House of Representative for the 3rd Legislative Assembly:

Teresa Tocher.....	Proofreader
Susan Hansen.....	Proofreader
Joyce Murphy.....	Proofreader
Donna Carney.....	Typist

EDLAND, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do pass.

HALL, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 do pass.

HALL, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do pass.

HALL, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do pass.

HALL, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do pass.

HALL, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be amended as follows:

1. On page 2, line 6, strike the words and figures "[Thirty Dollars (\$30)]" and insert in lieu thereof the words and figures "Thirty-five Dollars (\$35)."

2. On page 2, line 7, strike the words and figures "[Thirty Dollars (\$30)]" and insert in lieu thereof the words and figures "Thirty-five Dollars (\$35)."

3. On page 2, lines 23, 24 and 25, strike the matter therein in its entirety, beginning with the word "Secretaries."

4. On page 3, line 1, strike the words and figures "[Ninety cents (\$3.90) per hour each.]"

5. On page 3, line 1, strike the word "[other]" and insert in lieu thereof the word "all".

6. On page 3, line 3, strike the words and figures "[fifteen cents (\$3.15)]" and insert in lieu thereof the words and figures "sixty cents (\$3.60)"; strike the words and figures "[fifty cents (\$3.50)]" and insert in lieu thereof the words and figures "ninety cents (\$3.90)".

7. On page 3, line 20, strike the word "[sixty]" and insert in lieu thereof the word "ninety".

8. On page 3, line 21, strike the figure "[60]" and insert in lieu thereof the figure "90"; strike the word "[three]" and insert in lieu thereof the word "four"; strike the word "[ninety]" and insert in lieu thereof the words "twenty-six"; strike the figures "[( \$3.90)]" and insert in lieu thereof the figures "(\$4.26)".

And, as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

## MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and place Senate Bill No. 2 on Second Reading this day.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

House Bill No. 60, introduced by Lynch, Lee, Mehrens, Glennen, Brown, Haines, Healy, Cox, Baucus, Kimble, Harper, Staigmiller, Bradley, Yardley, McKittrick, Kosena, Tierney, Aageson, Clemow, Kolstad, Nichols, Walborn, Seifert, Shelden, Baeth, Roberts, Stephens, Stoltz, Driscoll, Menahan, Quilici, Lundgren, Fasbender, Lombardi, Flynn, Hodges, Colberg, Bennetts, Murphy, Laas, Zimmer, Johnston: A bill for an act entitled: "An act to render unenforceable all liens held by the State Department of Social and Rehabilitation Services permitted under Sections 71-241 through 71-250, R.C.M., 1947; and to repeal Sections 71-241 through 71-250, R.C.M., 1947, relating to the lien of the State Department of Social and Rehabilitation Services upon all real property of an applicant for public assistance and the enforcement of the lien." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 61, introduced by McKittrick, Menahan, Hodges, R. Harper, Mehrens, Quilici, Lucas: A bill for an act entitled: "An act to amend Section 33-124, R.C.M., 1947, relating to the value of land selected and claimed for homesteads." Referred to the Committee on Taxation.

House Bill No. 62, introduced by Murphy, Lynch, Baucus, Lockrem, Galt, Hageman: A bill for an act entitled: "An act prohibiting the taking of female deer except in certain cases as determined by the Fish and Game Commission." Referred to Committee on Fish and Game.

Senate Bill No. 55, introduced by Bertsche, Devine, Hall, McDonald, Sorensen: A bill for an act entitled: "An act amending Section 11-3215, R.C.M., 1947, to provide that candidates for the office of City Commissioner must file statements of such candidacy thirty-five (35) days prior to the primary election and specifying an immediate effective date." Referred to Committee on Constitution, Elections and Federal Relations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 2 be concurred in.

That the Committee rise and report.

YARDLEY, Chairman

Report adopted by the following vote: 89-0, 8 excused, 3 absent or not voting.

## MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and Senate Bill No. 2 be placed on Third Reading.



Motion carried.

### THIRD READING OF BILLS

The following bill has been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 2 was concurred in as amended by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Ainsworth. Total 1.

Excused: Asbjornson, Fleming, Forsgren, R. Harper, Jacobsen, Lien, Menahan, Nichols. Total 8.

Fasbender moved that the House adjourn until 1:30 p.m., January 5th.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### FIFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 5, 1973

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Menahan and Ulmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily Journal for the 4th Legislative Day, find the same to be correct.

QUILICI, Chairman

January 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 7, 8, 9, 10, 11.

QUILICI, Chairman

## COMMUNICATIONS AND PETITIONS

January 5, 1973

Dear Mr. Representative:

At the request of the Speaker, Mr. Gerke, I am restating the policy for bill drafting.

All bills must be processed (typed) down at the Legislative Services Division which is located on the first floor of the Capitol Building before they will be considered for introduction from this office. This is the policy that was set forth and it would be greatly appreciated if all Representatives would conform.

Thank you.

Respectfully,  
ED SMITH  
Chief Clerk  
House of Representatives

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 63, introduced by McKittrick, Menahan, Johnston, Hodges, R. Harper, Mehrens, Quilici, Clemow, Greeley. A bill for an act entitled: "An act to amend Section 53-438, R.C.M. 1947, to provide for noncancellation of motor vehicle liability insurance and no increase in premium when the insured or the operator is not at fault." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 64, introduced by Bardanouve. A bill for an act entitled: "An act providing for continuity in the legislative council by extending the terms of council members into the next succeeding session until new members are appointed; amending 43-709, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

House Joint Resolution No. 1, introduced by Bardanouve. A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the federal government to reimburse all states for old-age assistance, aid to dependent children and needy blind, aid to the permanently disabled and medical assistance payments for Indians who reside on reservations or on allotted or trust lands. Referred to Committee on Business and Industry.

House Joint Resolution No. 2, introduced by Murphy, Laas, Aageson, Tierney, Kolstad. A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that all credits granted by units of the Montana University System be fully and equally transferable among the several units. Referred to Committee on Education.

Fasbender moved that the House stand in recess until 2:00 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

January 5, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and

Father Relations, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

LOMBARDI, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 63 be taken from Public Health, Welfare and Safety Committee and be rereferred to Committee on Business and Industry; that House Bill No. 64 be taken from Committee on Education and be rereferred to Committee on State Administration; and House Joint Resolution No. 1 be taken from Committee on Business and Industry and be rereferred to Committee on Public Health, Welfare and Safety.

Motion carried.

Fasbender moved that Rules be suspended and place Senate Bill No. 55 on Second Reading this day. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hall in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 55 be concurred in.

That the committee rise and report.

HALL, Chairman

Report adopted 94-1.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halverson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer. Total 93.

Noes: Lockrem. Total 1.

Excused: Menahan and Ulmer. Total 2.

Absent or Not Voting: Clemow, Ellerd, Nichols, Mr. Speaker. Total 4.



Fasbender moved that the House adjourn until 10:00 a.m., January 6, 1973. Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk

### SIXTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 6, 1973

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Galt, Lundgren, Flynn, Warfield, Kendall, Menahan, Yardley, Hager, Ulmer, Ellerd, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

To: House of Representatives

The affiliated members of the Montana Council of Cooperatives have presented you with name badges for your use during your term in the House.

We would like you to consider this presentation as a service to the people of Montana who come to the session and wish to know who you are, as well as any other convenience they may be to you.

May we also ask you to wear them when you attend the legislative dinner of the Montana Council of Cooperatives on January 9. It will make it possible for the several hundred people who are coming to Helena to be your hosts to easily identify you as their special guests.

Best wishes for a successful session.

Montana Council of Cooperatives  
Box 804  
Helena, Montana

### REPORTS OF STANDING COMMITTEES

January 6, 1973

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the 43rd Legislative Assembly as of January 1, 1973:

Marie Hensleigh.....Secretary to the Minority Leader

As of January 6, 1973:

Patty Diehl.....Journal Typist

That the following be terminated as of January 1, 1973:

Lucille Baker.....Secretary to the Minority Leader

That the following be terminated as of January 2, 1973:

Helen Blake.....Stenographer

EDLAND, Chairman

Report adopted.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 65, introduced by McKittrick, Kosena (by request): A bill for an act entitled: "An act to amend Section 89-115, R.C.M., 1947, to grant specific authority to the Board of Natural Resources and Conservation to provide for the disposal of water projects; and to include a waiver of liability from suit on behalf of the state. Referred to Committee on Natural Resources.

House Bill No. 66, introduced by Haines, Halvorson, Ainsworth, Mercer. A bill for an act entitled: "An act providing for the definition and punishment of shoplifting; and detention and interrogation of persons suspected of shoplifting with reasonable cause." Referred to Committee on Business and Industry.

House Bill No. 67, introduced by R. Harper, Towe, McKittrick, Roberts, Regan, Hodges, Gunderson, Baucus, Driscoll, Bradley, Huennekens, Bennetts, Kimble, Johnston, Holmes, Colberg, Fleming, Staigmiller, Hall, Greely, Lien, Fasbender, Swanberg, Hageman, Cotton, Edland, Jacobsen, Bardanouve. A bill for an act entitled: "An act to be known as the 'Met-calf Act' to establish an independent agency to be known as the Office of Utility Consumers' Council to represent the consumers of the state before federal and state regulatory agencies with respect to matters pertaining to certain utilities; to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the state and consumers; providing for the funding of such office; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 68, introduced by Bradley, Turman, Lee, Quilici, Bennetts, Kimble, Tierney, R. Harper, Lynch, Baeth, Lombardi, Stoltz, Stephens, Haines, McKittrick, Marbut, Regan, Baucus, Towe, Holmes, Colberg, Huennekens, Healy, Castles, Halvorson, Forsgren. A bill for an act entitled: "An act to authorize the creation of funds to promote, establish and maintain day care centers and homes, and providing for a special levy." Referred to Committee on Taxation.

House Bill No. 69, introduced by Brand, Kessner, Flynn, Gunderson. A bill for an act entitled: "An act to amend Section 59-1001, R.C.M., 1947, to provide for eligibility for annual vacation benefits after a period of ninety (90) days of continuous employment and to provide that it shall be unlawful for an employer to terminate or separate an employee from his employment in an attempt to circumvent the provisions of this law." Referred to Committee on State Administration.

House Resolution No. 2, introduced by Murphy, Laas. A Resolution of the House of Representatives of the State of Montana extending its sympathies and condolences to the family of Stanford "Bay" Skelton. Referred to Committee on State Administration.

The Speaker signed in open session Senate Bill No. 1 and Senate Bill No. 2.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Greely in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 7 do pass (89-2).

That House Bill No. 8 do pass (89-0).

That House Bill No. 9 be passed for the day.

That House Bill No. 10 do pass (89-0).

That House Bill No. 11 do pass (90-0).

That the committee rise and report.

GREELY, Chairman

Report adopted.

The Speaker made the following committee changes: Johnston and Marks off of the Committee on State Administration; Hodges off Committee on Business and Industry; Laas on Committee on Business and Industry.

Fasbender moved that the House adjourn until Monday, January 8, 1973, at 1:30 p.m. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk.

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SEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 8, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Kimble, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 6th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the



following bills considered correctly engrossed: House Bills Nos. 7, 8, 10 and 11.

QUILICI, Chairman

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following persons be employed by the House of Representatives for the 43rd Legislative Assembly as of January 1, 1973:

Robert E. Stephens.....Watchman - Attendant

Kathryn M. Fuller.....Typist

EDLAND, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 be amended on page 2, section 2, subsection 2, line 11, after the word "compensation", by inserting the words "including salaries and expenses",

And as so amended, do pass.

BRAND, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

BRAND, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do pass.

BRAND, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

KOSENSA, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do pass.

KOSENSA, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do pass.

KOSENSA, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

LOMBARDI, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 do pass.

LOMBARDI, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 be amended as follows:

Subsection 2 of section 1 be amended by striking the following words in Lines 17 and 18: "shall appoint a lieutenant governor" and insert in lieu thereof "and a lieutenant governor shall be elected in accordance with the provision of section 2 hereafter."

Section 2 be amended at the end of the present section 2 beginning on line 23 reading: "when the Speaker of the House becomes governor, the legislature will meet in joint session, and shall elect a lieutenant governor." And further amend on line 22 following the word "governor" and adding the words, "and a lieutenant governor" and striking the remainder of the sentence on line 22 and 23.

Amend section 3, line 25 by striking the word "appointed."

And as amended, do pass.

LOMBARDI, Chairman

Report adopted.

The Speaker signed in open session Senate Bill No. 55.

January 8, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

LOMBARDI, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and

Federal Relations, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do pass.

LOMBARDI, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do not pass.

HALL, Chairman

As a substitute motion, Brand moved that House Bill No. 39 do pass. Motion failed.

Therefore, the committee report was adopted by the following recorded roll call vote.

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Lien, Lockrem, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mercer, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Brand, Burnett, Colberg, Cotton, Flynn, Gunderson, Hageman, Hager, Haines, Healy, Huennkens, Jacobsen, Kolstad, Laas, Lee, Lombardi, Lynch, Mehrens, Menahan, Murphy, Olson, Quilici, Seifert, Staig-miller, Stephens, Zimmer. Total 26.

Excused: Kimble. Total 1.

Absent or Not Voting: Lundgren. Total 1.

January 8, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 be amended by striking in Section 2, page 2, line 18 of the Introductory Bill the words and figures "through 94-4725" and inserting in lieu thereof the following: "94-4721 and 94-4722".

And as amended, do pass.

HALL, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do not pass.

HALL, Chairman

As a substitute motion, Brand moved that House Bill No. 38 do pass. Motion failed.

Therefore, the committee report was adopted by the following recorded roll call vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown,



Campbell, Castles, Clemow, Colberg, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Aageson, Asbjornson, Baeth, Barrett, Brand, Burnett, Cotton, Cox, Driscoll, East, Glennen, Hageman, R. Harper, Hubing, Kessner, Kolstad, Lien, Marks, Menahan, Schye, Selstad, Zimmer. Total 22.

Excused: Kimble. Total 1.

Absent or Not Voting: Fleming, Gunderson. Total 2.

### MESSAGES FROM THE GOVERNOR

January 6, 1973

Honorable Bill Christiansen  
President of the Senate  
State Capitol  
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos. 1 and 2.

Sincerely,  
THOMAS L. JUDGE  
Governor

cc: Honorable Harold Gerke

### MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 13 be taken from Second Reading and be rereferred to Committee on State Administration. Motion carried.

Fasbender moved that Chapter 6-10 of the Joint Rules be amended by striking the effective date. Motion carried.

Hall moved that the matter of the last motion be referred to the Rules Committee. Motion carried.

Lockrem moved that House Bill No. 58 be taken from Committee on Taxation and be rereferred to Committee on Local Government. Motion carried.

Hall moved that House Bill No. 9 be taken from Second Reading and be rereferred to Committee on Judiciary. Motion carried.

Hall moved that the question of recorded votes on amendments in committee be referred to Rules Committee. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 3, introduced by Bardanouve: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the bills and journal committees of the Senate and House of Representatives to meet as a joint committee for the purpose of devising a new format for the journals of the Senate and House of Representatives. Referred to Committee on State Administration.

House Joint Resolution No. 4, introduced by Regan, McKittrick, Kolstad, Halvorson, Castles, H. Harper, Bennetts, Colberg, Yardley, Flynn, Kendall, Glennen, Stoltz, Cox, Baucus, Hager, Bradley, Brown, Gerke, Murphy, Hodges, Lynch, Jones, Tierney, Schepens, Towe, Lombardi, Greely, Schye, Bardanouve, R. Harper, Haines, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana ratifying the proposed amendment to the Constitution of the United States relating to equal rights on account of sex. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 70, introduced by Brand: A bill for an act entitled: "An act providing for interstate parole and probation hearing procedures, requiring notice, assistance of counsel, confrontation of witnesses under certain conditions, a hearing record, and authorizing out-of-state hearings." Referred to Committee on Judiciary.

House Bill No. 71, introduced by Lockrem, Schye, Laas: A bill for an act entitled: "An act to provide that architectural firms, builders, contractors or manufacturers licensed by a state agency are exempt from paying the county license tax; amending Section 84-3207, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 72, introduced by Holtz, Gunderson, Aageson, Kolstad, Jacobsen, Hageman: A bill for an act entitled: "An act to provide for the licensing and bonding of merchandisers of grain; and repealing section 3-228, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 73, introduced by Bradley, Towe, Murphy, Regan, Colberg, H. Harper, Norman, Huenneken, R. Harper: A bill for an act entitled: "An act prohibiting certain utilities from using promotional advertising; providing for enforcement; providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 74, introduced by Kendall, Glennen, Turman, Haines, Kosena, Halvorson: A bill for an act entitled: "An act amending Section 16-1719, R.C.M. 1947, to require weed control on municipal streets and property." Referred to Committee on Local Government.

House Bill No. 75, introduced by Greely, Bardanouve, Aageson, Bradley, Tierney: A bill for an act entitled: "An act to amend Section 93-2002, R.C.M. 1947, to delete the diploma privilege and thereby require all applicants for admission as an attorney or counselor to undergo a bar examination." Referred to Committee on Judiciary.

The Speaker appointed the following Long Range Building Committee: Johnston, Healy, Swanberg, Olson, Ainsworth, Lockrem.

Fasbender moved that the House adjourn until 1:30 p.m., January 9, 1973. Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk

## EIGHTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 9, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Reverend George Harper and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Nichols, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 2, 3, 23, 25, 27, 30, 34, 35, 48.

QUILICI, Chairman

January 9, 1973

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following attaches employed by the House of Representatives of the 43rd Legislative Assembly be reclassified as of January 1, 1973:

Edna Gunderson.....	Committee Secretary
Susan Hansen.....	Typist
Jack Carney.....	Director of Public Information

Re-classified as of January 2, 1973:

Martha McGee.....	Committee Secretary
JoAnn Jive.....	Stenographer

EDLAND, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

SHELDEN, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do pass.

GUNDERSON, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended on page 1 starting with Section 1 on line 15 after the word "classification—", through and including line 3 on page 3 by striking all the material contained therein and inserting in lieu thereof the following new material: "The lands of the State of Montana shall be classified by the Board of Land Commissioners pursuant to its powers and duties as provided in Section 81-103."

And, as amended, do pass.

BRAND, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

LEE, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do not pass.

LEE, Chairman

Report adopted by the following roll call vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Brand, Cotton, Driscoll, Rolfe, Ulmer, Selstad. Total 6.

Excused: Nichols. Total 1.

Absent or not voting: Barrett, Burnett, Huennekens, Lund, Prevost, Schye, Towe. Total 7.

January 9, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 be amended on page 1, lines 8 and 9 by deleting the words and number "[and including the age of eight-eenn (18) years]" and inserting in lieu thereof the following words: "and including the age of seventeen (17) years."

And be further amended on page 1, line eighteen by deleting the word and number "[eighteen (18)]" and inserting in lieu thereof the following word and number "seventeen (17)."



And, as amended, do pass.

LEE, Chairman

Report adopted.

January 9, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do not pass.

LEE, Chairman

Report adopted by the following roll call vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Driscoll, Edland, Ellerd, Fagg, Fabbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Turman, Turner, Walborn, Watt, Mr. Speaker. Total 69.

Noes: Barrett, Bennetts, Brand, Colberg, Cotton, Cox, East, Greely, Haines, Holmes, Hubing, Huennekens, Kolstad, Lucas, Marbut, Marks, Menahan, Murphy, Schye, Selstad, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Zimmer.

Excused: Nichols. Total 1.

Absent or not voting: Bardanouve, Burnett, Lund. Total 3.

January 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 be amended on page 1, Section 1, line 17 of the introduced bill by inserting the following words and figures, all underlined, after the words "fine of," twenty-five dollars (\$25)", and

be further amended by restoring to the bill all the deleted material on page 1, Section 1, line 18, of the introduced bill and deleting all of the underlined material on page 1, Section 1, lines 19, 20 and 21, of the introduced bill, and

be further amended on page 2, Section 2, line 9, by deleting the figures and punctuation, underlined, "(1)", and restoring the deleted material on page 2, Section 2, lines 10 and 13 of the introduced bill, and

be further amended on page 2, Section 2, line 14, of the introduced bill by striking the words and figures "ninety (90) days" and showing them deleted, and inserting in lieu thereof the words and figures, underlined "one (1) year", and by deleting subsection 2, lines 16 through 20 inclusive, in its entirety, and

be further amended on page 2, Section 2, line 13, by striking after the word "camp" of the introduced bill the word "or," and inserting the word "and" in lieu thereof, and

be further amended on page 2, Section 2, line 15 by inserting a new sentence at the end of line 15 of the introduced bill reading as follows and being underlined, "Any person who hunts, fishes, camps or traps in Montana while such license and privilege are suspended is guilty of a misdemeanor."

and, as amended, do pass.

HALL, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Ainsworth moved that House Bill No. 27 be returned to Committee on Local Government for purpose of amendments.

Motion carried.

Hall moved, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 38 on the previous day, that the House reconsider its action.

Motion carried.

Hall requested leave of the House that the Judiciary Committee be allowed to hold House Bill No. 38 for further action until such time as the Uniform Criminal Codes are presented.

Request granted.

Watt moved for an extension of time on House Bills Nos. 16, 17, 36, 47 and 52.

Motion granted.

Brand moved for an extension of time on House Bills Nos. 6 and 18.

Motion granted.

Gunderson moved for an extension of time on House Bills Nos. 19, 21 and 53.

Motion granted.

Fasbender moved that the House suspend its Rules and place House Bills Nos. 2, 3, 34 and 35 on Second Reading this day.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 5 introduced by Kosena, Bardanouve, Cox, Clemow, McKittrick: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to study the operations of the Water Resources Division of the Department of Natural Resources and Conservation. Referred to Committee on Natural Resources.

House Joint Resolution No. 6, introduced by Hodges, Kimble, Towe, Bradley, Greeley, Baucus, Lynch, Sheldon, Tierney, Roberts, Baeth, Kosena, Lombardi, Healy, Gunderson, Watt, Holmes, Jacobsen, Laas, Hageman, Cotton, Turman, Zimmer, Fasbender, Bennetts, R. Harper, Hall, Gerke, H. Harper, Barrett, Halvorson, Norman, Johnston, Colberg, Staigmiller, Edland, Huennekens, Mehrens, Kendall, Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the United States Senate and the United States House of Representatives to continue their efforts to end the conflict in Indochina by stopping the funding of the Indochina conflict and by reassigning these funds to undertake a massive public works program to solve our domestic,

social, environmental, and energy problems. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 76, introduced by Colberg, Marbut, Huennekens, Holmes, Regan, Towe, Fagg, Baucus, Driscoll, Turman, Seifert, Murphy, Stoltz, Fleming, Brown, Staigmiller, Bradley, R. Harper, Roberts: A bill for an act entitled: "An act to require a refund value on every beverage container sold or offered for sale in this state, to require dealers and distributors to accept empty beverage containers, to prohibit certain metal containers, to certify certain containers, to provide for the establishment of container redemption centers, and to provide a penalty for the violation of the provisions of this act." Referred to Committee on Business and Industry.

House Bill No. 77, introduced by Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Education, and providing that this act is effective upon its passage and approval." Referred to Committee on Education.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 2 do pass (90-6).

That House Bill No. 3 do pass (76-19).

That House Bill No. 34 do pass (96-0).

That House Bill No. 35 do pass (96-0).

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and tistory agreed to, were disposed of in the following manner:

House Bill No. 7 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colber, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Nichols. Total 1.

Absent or not voting: Burnett, Marbut. Total 2.

House Bill No. 3 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Nichols. Total 1.

Absent or not voting: Burnett, Marbut. Total 2.

House Bill No. 10 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Smith, Walborn. Total 2.

Excused: Nichols. Total 1.

Absent or not voting: Burnett, Marbut. Total 2.

House Bill No. 11 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Nichols. Total 1.

Absent or not voting: Burnett, Marbut. Total 2.



## MOTIONS AND RESOLUTIONS

Fasbender moved that the House stand in recess until 2:45 p.m. this day.

Motion carried.

House recessed.

House resumed.

## REPORTS OF STANDING COMMITTEES

January 8, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion to amend Chapter 6, Section 10, Paragraph 2 of the Joint Rules by deleting the effective date, respectfully report as follows: That the motion be adopted.

FASBENDER, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion that votes on committee amendments to a bill are substantive questions and therefore require a recorded vote, respectfully report as follows: That the motion be adopted.

FASBENDER, Chairman

Report adopted.

January 8, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do not pass.

FASBENDER, Chairman

Report was adopted by the following roll call vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Hubing, Lucas, Schye, Smith. Total 4.

Excused: Nichols. Total 1.

Absent or not voting: Ainsworth, East, Marbut, Roberts. Total 4.

## MOTIONS AND RESOLUTIONS

Lockrem moved that House Bill No. 71 be taken from Committee on Taxation and be rereferred to Committee on State Administration.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 10, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### NINTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 10, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except, Burnett, Hall, Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 8th Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

January 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 4, 12, 20, 28, and 40.

QUILICI, Chairman

January 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 2, 3, 34 and 35.

QUILICI, Chairman

January 10, 1973

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59, be amended on page 2, section 1, subsection (4), line 8 after the word "policy", by inserting the words "or certificate of insurance", and

further amend on page 3, section 2, line 24 after the word "insurance," by inserting the words "or certificate issued thereunder", and further amend on page 7, section 3, subsection (7), line 2 after the word "policy," by inserting the words "or certificate of insurance", and further amend on page 8, section 4, subsection (3), line 9 after the word "policy," by inserting the words "or certificate issued thereunder", and

further amend on page 8, section 5, line 15 before the number "5." by inserting the word "Section", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 be amended on page 258, section 244, after line 5, by inserting a new subsection, to read as follows: "(3) After making such assessment, the department shall give written notice thereof to the person or persons to whom the assessment is made.", and be further amended on page 258, section 245, line 8, after the word "before" by striking the word "[department]" and inserting in lieu thereof the following words "The State Tax Appeal Board", and be further amended on page 258, section 245, beginning on line 9, by striking the word "[making]", and

be further amended on page 258, section 245, line 9, after the word "assessment" by inserting the words "is made by", and

be further amended on page 258, section 245, line 9, after the word "the" by striking the word "[department]" and inserting in lieu thereof the following words "State Tax Appeal Board", and

be further amended on page 258, section 245, line 13, after the word "may" by striking the words "[appeal appear]" and inserting in lieu thereof the following word "appear". and

be further amended on page 258, section 245, line 14, after the word "the" by striking the word "[department]" and inserting in lieu thereof the following word "board" and

As amended, do pass.

WATT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

## MESSAGES FROM THE SENATE

January 9, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read three several times, title and history agreed to and passed, and are herewith transmitted to the House for its concurrence: Senate Bill No. 3, introduced by Lynch and Moore (by request), Senate Bill No. 19, introduced by Moore and Lynch (by request), Senate Bill No. 34, introduced by Lynch and Moore (by request), Senate Bill No. 45, introduced by Hazelbaker, Senate Joint Resolution No. 1, introduced by Lynch and Moore (by request), and Senate Joint Resolution No. 2, introduced by Lynch and Moore (by request).

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Holtz, having voted on the prevailing side in adopting an adverse

committee report on House Bill No. 51, at previous sitting, moved that the House reconsider its action. Motion carried by a vote of 64-32.

Fasbender moved that the Rules be suspended and House Bills No. 2, 3, 34, 35 be placed on Third Reading this day.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 78, introduced by Fagg, Huennekens, Hager, Galt, Rolfe, Mercer, Barrett, Staigmiller, Holmes, Stephens, Regan, Tierney, Bennetts, Aageson, Holtz, Greely, Brand, Marbut, Colberg, Seifert, H. Harper, Norman, Baucus, Johnston, Forsgren, Kendall, Driscoll, Turman, Laas, Halvorson, Hageman, Kolstad, Towe, Lockrem, Cox, Gerke, Lund, Fasbender, Swanberg, Prevost, R. Harper, McKittrick, Smith, Watt, Shelden, Menahan, Lynch, Clemow, Murphy, Glennen, Hall, Yardley, Warfield, Ellerd, Healy, Kosena, Baeth, Kimble, Bradley: A bill for an act entitled: "An act amending Section 26-202.1 and Section 26-202.6, R.C.M. 1947, relating to fees for resident and nonresident fishing licenses: providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 79, introduced by Prevost, Lien, Fagg, Schepens, Staigmiller, Olson, Lund, Cotton, Holtz, Manuel, Edland, Jacobson, Brand, Bardanouve, Haines, Laas, Glennen, Swanberg, Kvaalen, Fleming: A bill for an act entitled: "An act to amend Section 66-2426, R.C.M. 1947, to provide for an exemption for water conditioner installers from regulation under the Board of Plumbing Examiners." Referred to Committee on Business and Industry.

House Bill No. 80, introduced by Fagg, Gunderson, Lee, Cox: A bill for an act entitled: "An act amending Section 75-5933, R.C.M. 1947; providing that 'duties of trustees' may require immunizations as a prerequisite for school entrance." Referred to Committee on Education.

House Bill No. 81, introduced by Zimmer, Lundgren, Halvorson, Haines: A bill for an act entitled: "An act to limit liability to gross negligence or willful misconduct in an action for property damage arising from a collision upon a public highway between a motor vehicle and livestock." Referred to Committee on Judiciary.

House Bill No. 82, introduced by Hager, Murphy, Tierney, Bennetts: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, lowering the age requirements for pioneer fishing and hunting licenses, from age 65 to 62." Referred to Committee on Fish and Game.

House Bill No. 83, introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-402, R.C.M. 1947, the definition of barbering, to include styling, arranging and coloring of hair." Referred to Committee on Business and Industry.

House Bill No. 84, introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-411, R.C.M. 1947, to increase the fees for the issuance and renewal of certificate of registration to practice barbering; and increase the annual license fee for barbershops." Referred to Committee on Business and Industry.

House Bill No. 85, introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-408, R.C.M. 1947, to increase the rate of compensation of members of the Board of Barbers from twenty-five dollars (\$25) to thirty dollars (\$30) per day." Referred to Committee on State Administration.



House Bill No. 86, introduced by Lucas, Laas, Hubing, Tierney, Cox, Fagg, Bell, Greely, Ulmer, Fleming, Mercer, Lund, Kosena, Lockrem, Johnston, Warfield: A bill for an act entitled: "An act relating to "habitual traffic offenders" providing for a system of conviction points leading to revocation of driving privileges; providing for hearings, penalties and appeal procedures; and providing an effective date of January 1, 1974." Referred to Committee on Highways and Transportation.

House Bill 87, introduced by Lucas, Swanberg, Lundgren, Tierney, Driscoll, Warfield, Rolfe, Quilici, Lynch, Mercer, Kosena: A bill for an act entitled: "An act providing for a driver rehabilitation program under the attorney general; providing for a driver rehabilitation advisory council; and providing for procedures to contribute toward improving drivers' driving attitudes, habits and techniques." Referred to Committee on Highways and Transportation.

House Bill 88, introduced by Towe, Swanberg, Tierney, H. Harper, Bradley, Turman, Johnston, Stoltz, Huennekens, Stephens, Murphy, McKitt-  
rick, Manuel, Fleming, Norman, Schepens, Bennetts, Watt, Marbut, Roberts, Shelden, Fagg, Regan, R. Harper, Kimble, Holmes, Baucus, Colberg: A bill for an act entitled: "An act to be known as "The Montana Environmental Protection Act," a right of action to protect the natural resources of the state and to insure enforcement of regulations to protect the natural environment." Referred to Committee on Natural Resources.

House Bill No. 89, introduced by Norman, Olson: A bill for an act entitled: "An act to amend Section 69-5104, R.C.M. 1947, to require that a written report of all autopsies of a human body be sent to the physician attending the person at the time of death and to the hospital where the person died in addition to other recipients as presently provided by law." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 3, introduced by Lynch, Moore, (by request): A bill for an act entitled: "An act complying with Article II, Section 20 of the 1972 Montana Constitution, by changing the size of a grand jury and the number required to find an indictment; amending Section 95-1401, 95-1402, 95-1410, 93-1801, and 93-1802, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 19, introduced by Moore, Lynch, (by request): A bill for an act entitled: "An act subjecting justices of the peace to impeachment to comply with Article V, Section 13(1) of the 1972 Montana Constitution; amending Sections 93-104 and 94-5401, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 34, introduced by Lynch, Moore, (by request): A bill for an act entitled: "An act amending Section 93-2906, R.C.M. 1947, to delete reference to the 1889 Montana Constitution; and to rearrange subsection (4) to be more readable." Referred to Committee on Judiciary.

Senate Bill No. 45, introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 43-901, R.C.M. 1947, to change the name of the 'status of proceedings' to the 'daily journal'; and providing an effective date." Referred to Committee on Bills and Journal.

Senate Joint Resolution No. 1, introduced by Lynch Moore, (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the problems involved in the 1972 Montana Constitution in Article II, Section 8, "Right of Participation", and Section 9, "Right to Know", concerning the various fundamental citizens' rights involved, and report its findings to the second session of the Forty-third Legislative Assembly together with draft legislation. Referred to Committee on Judiciary.

Senate Joint Resolution No. 2, introduced by Lynch, Moore, (by request): A Joint Resolution of the Senate and the House of Representatives

of the State of Montana requesting that the Legislative Council conduct a study of the problems involved in Article II, Section 18, "State Subject to Suit" of the 1972 Montana Constitution concerning the abolition of the doctrine of governmental immunity, and report its findings to the second session of the Forty-third Legislative Assembly together with draft legislation of a procedure to process claims. Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself in a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Norman in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 12 do pass (80-16).

That House Bill No. 30 do pass (95-0).

That House Bill No. 40 be passed for the day.

That the Committee rise and report.

NORMAN, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 2 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker: Total 93.

Noes: Rolfe, Selstad, Smith, Ulmer, Walborn: Total 5.

Excused: Burnett, Marbut: Total 2.

Absent or not voting: Total 0.

House Bill No. 3 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimball, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan,

Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker: Total 70.

Noes: Asbjornson, Barrett, Bell, Campbell, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Haines, Holtz, Hubing, Kvaalen, Lockrem, Marks, Mercer, Nichols, Olson, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Zimmer: Total 28.

Excused: Burnett, Marbut: Total 2.

Absent or not voting: Total 0.

House Bill No. 34 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker: Total 98.

Noes: Total 0.

Excused: Marbut, Burnett: Total 2.

Absent or not voting: Total 0.

House Bill No. 35 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker: Total 97.

Noes: Bell: Total 1.

Excused: Burnett, Marbut: Total 2.

Absent or not voting: Total 0.

#### MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 51, be printed and placed on Second Reading.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 11, 1973.

Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk

## TENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 11, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by Representative Hager and Pledge of Allegiance to the Flag.

On roll call, all members present except Burnett and Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 9th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 11, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 22, 46, 50, 51, 59.

QUILICI, Chairman

January 11, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 12 and 30.

QUILICI, Chairman

January 11, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 be amended by inserting at the end of the present bill the following new language underlined, "A diploma from the Department of Law of the University of Montana at Missoula by a student presently enrolled or accepted or enrolled prior to the commencement of the fall, 1973 term of such department shall entitle the holder to a license to practice law in all the courts of this state, subject to the right of the Chief Justice of the Supreme Court of the state to order an examination as in ordinary cases of applicants without such diploma or evidence."

And, as amended, do pass.

HALL, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

HALL, Chairman

Report adopted.



January 11, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be concurred in.

HALL, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 19, respectfully report as follows: That Senate Bill No. 19 be concurred in.

HALL, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be concurred in.

HALL, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do pass.

GREELY, Vice-Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 2, respectfully report as follows: That House Resolution No. 2 do pass.

GREELY, Vice-Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 be amended on page 2, line 6, after the word "format" by striking the following material "[by 1:00 P.M., Monday, January 15, 1973]", and inserting in lieu thereof the following material "as soon as possible after the passage of this resolution",

And, as amended, do pass.

GREELY, Vice-Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 be amended on page 1, line 18 before the word "value"

by inserting the word "assessed". On page 2, line 24, delete the word "taxable" and insert the word "assessed".

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 be amended as follows:

Amend page 2, line 21 following the word repealed by inserting the punctuation period (.). Also amend page 2, line 22 by deleting the word "and" before words "shall apply" and by inserting the words "The same procedures set forth for cities".

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 do pass.

KOSENA, Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

LOMBARDI, Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do pass.

LOMBARDI, Chairman

Report adopted.

January 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

FLEMING, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do not pass.

LEE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Sheldon, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Brand, Galt, Hubing, Kessner, Kvaalen, Marks, Mercer, Schye, Selstad, Smith, Ulmer. Total 11.

Absent or not voting: Forsgren. Total 1.

Excused: Burnett, Marbut. Total 2.

January 11, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Pages terminated as of January 10, 1973:

Greg Axtman, Cathie Blaskovich, Gene Matelich, Mark Mikeson, Becky Olsen, Kim Schulke, Pam Tooke.

New Pages: as of January 11, 1973:

Kristi Bowman, Debi Horner, Honey Richardson, Mark Overton, Vickie Bredstrand, Dan Hogan, Colleen Sanders, Loren Willis, Richard Disney.

That the following be employed:

Greg Axtman.....	Doorman
Don Johnson.....	National Guard
Richard Stein.....	National Guard

EDLAND, Chairman

Report adopted.

## MESSAGES FROM THE SENATE

January 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read third time, title and history agreed to and passed, and are herewith transmitted to the House for its concurrence.

Senate Bill No. 22, introduced by Moore & Lynch (by request)

Senate Bill No. 4, introduced by Lynch & Moore (by request)

Senate Joint Resolution No. 4, introduced by Lynch & Moore (by request)

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and place House Bill No. 12 and House Bill No. 30 on Third Reading this day. Motion carried.

The Speaker withdrew House Bill No. 85 from the Committee on State Administration and referred it to Committee on Business and Industry.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 7, introduced by R. Harper, Stephens, Tierney, Driscoll, Gunderson, Kimble, Kosena: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to study the procedures and practices of regulation of insurance companies. Referred to Committee on Business and Industry.

House Bill No. 90, introduced by Lynch, Baucus, Murphy, Colberg: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, by raising the nonresident big game license fee to five hundred dollars (\$500)." Referred to Committee on Fish and Game.

House Bill No. 91, introduced by Bardanoue, Cotton: A bill for an act entitled: "An act to amend Section 89-1804, R.C.M. 1947, to remove the maximum limit on levies made for irrigation district administration, maintenance and repairs." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 92, introduced by R. Harper: A bill for an act entitled: "An act authorizing a board of county commissioners to levy an ad valorem tax not exceeding two (2) mills for the purpose of funding a park or recreational program; amending Sections 16-4802 and 16-4803, R.C.M. 1947; and creating a new Section to be numbered 16-4802.1." Referred to Committee on Taxation.

House Bill No. 93, introduced by Swanberg, Driscoll, Warfield, Glennen, Shelden, McKittrick, Ulmer, Tierney: A bill for an act entitled: "An act to add new sections to Chapter 40, Title 69, R.C.M. 1947; providing for additional powers in the Department of Health and Environmental Sciences to set compliance dates and issue orders; validating prior action and orders of the department; providing jurisdiction in the district court to enforce orders of the department, providing for injunction action for continuing violations of the act, regulations of the board and orders of the department; providing for civil penalty remedy; and providing for severability clause." Referred to Committee on Natural Resources.

House Bill No. 94, introduced by R. Harper (by request): A bill for an act entitled: "An act requiring the use of safety glazing materials in hazardous locations in residential, industrial, commercial, and public buildings." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 95, introduced by Tierney, Kolstad, Swanberg, Edland, Driscoll, Aageson, Murphy, Laas, Colberg, R. Harper, McKittrick, Kimble, Bradley, Bardanoue, Baucus, Lynch, Towe: A bill for an act entitled: "An act amending Section 85-302, R.C.M. 1947, providing for the physical segregation of imitation Indian articles from authentic Indian articles." Referred to Committee on Business and Industry.

House Bill No. 96, introduced by Edland, Prevost, Gunderson, Murphy, R. Harper, Jacobsen, Lien, Fleming, Stephens, Seifert, Lund, Hageman, Manuel: A bill for an act entitled: "An act providing for exemption from property taxation for all perishable agricultural products in storage;



Amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 97, introduced by Fasbender, Bardanouve, Ulmer, Watt, Nichols, Gerke: A bill for an act entitled: "An act to create the Resource Indemnity Trust Account in the Trust and Legacy Fund and to provide for the funding of the account by imposing a tax on the gross value of product of all nonrenewable resource extracting industries." Referred to Committee on Taxation.

House Bill No. 98, introduced by Lockrem: A bill for an act entitled: "An act to amend Section 66-409, R.C.M. 1947, to extend the jurisdictional boundaries from three (3) miles outside the city limits of a town to seven (7) miles for the purpose of establishing minimum prices for barber work." Referred to Committee on Business and Industry.

House Bill No. 99, introduced by Ulmer: A bill for an act entitled: "An act to amend Sections 40-4413 and 40-4414, R.C.M. 1947, to include nursing home administrators and long-term care facilities." Referred to Committee on Business and Industry.

House Bill No. 100, introduced by Lynch, Lee, Lombardi, Healy, Mehrens, R. Harper, Quilici, Lund, Turman, Olson, Bardanouve: A bill for an act entitled: "An act providing for a reduction from two (2) years to six (6) months for operators of motor vehicles to be free from epileptic seizure in order to be licensed; Amending Section 31-127, R.C.M. 1947." Referred to Committee on Highways and Transportation.

Senate Bill No. 4, introduced by Lynch, Moore: A bill for an act entitled: "An act complying with Article II, Section 26 of the 1972 Montana Constitution, by providing for waiver of a jury trial and less than twelve (12) jurors in felony trials and unanimity of all jurors to convict in misdemeanor trials; Amending Sections 95-1901, 95-1915, and 95-2006, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 22, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 93-318, R.C.M. 1947, to remove the minimum jurisdictional amount for district courts to comply with Article VII, Section 4 of the 1972 Montana Constitution and to remove other superfluous language." Referred to Committee on Judiciary.

Senate Joint Resolution No. 4, introduced by Lynch and Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the problems involved in Article II, Section 15, "Rights of persons not adults" of the 1972 Montana Constitution concerning the rights of persons under eighteen (18) years of age, and report its findings to the second session of the Forty-third Legislative Assembly together with draft legislation. Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kolstad in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 4 do pass (95-0).

That House Bill No. 20 do pass (93-3).

That House Bill No. 23 do pass (84-12).

That House Bill No. 25 do pass (90-8).

That House Bill No. 28 be amended in the title by striking out in line 12, page 1, the word and figures "through 94-4725" and inserting in lieu thereof the words and figures, preceded by a comma (,) "94-4721 and 94-4722", (95-0).

And, as amended, do pass (94-2).

That House Bill No. 40 do pass (96-0).

That House Bill No. 48 do pass (96-0).

That the Committee rise and report.

KOLSTAD, Chairman

Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 12 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Barrett, Bell, East, Galt, Hubing, Lundgren, Marks, Olson, Prevost, Rolfe, Selstad, Smith, Ulmer, Walborn. Total 14.

Absent or not voting: Kvaalen, Lockrem. Total 2.

Excused: Burnett, Marbut. Total 2.

House Bill No. 30 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Kvaalen, Lockrem. Total 2.

Excused: Burnett, Marbut. Total 2.

## MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 22 be taken from Printing and be rereferred to Committee on Taxation. Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 12, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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ELEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 12, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the Assembly.

On roll call all members were present except Marbut and Burnett, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Tenth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 4, 20, 23, 25, 40.

QUILICI, Chairman

January 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 14, 15, 27, 32, 33, 64, 72, 74 and House Joint Resolution No. 3.

QUILICI, Chairman

January 5, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do pass.

WATT, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 be amended on page 6, Section 1, beginning on line 19, by striking the words "[seventeen thousand five hundred dollars (\$17,500)]" and inserting in lieu thereof the following words "twenty three thousand five hundred dollars (\$23,500)",

And, as amended, do pass.

WATT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 6, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 be amended on page 1, Section 1, beginning on line 14, by striking the word and punctuation "[promote]", and

be further amended on page 1, Section 1, line 14, after the word "maintain" by inserting the word "licensed",

And, as amended, do pass.

WATT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 12, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 be amended on page 2, line 3, after the figure and punctuation "2265," by deleting the words "[presently before]" and inserting in lieu thereof "of the 92nd".

And be further amended on page 2, line 4, after the word "would" by inserting the word "have" and by deleting the word "[provide]" and inserting the word "provided".

And be further amended on page 2, line 5, after the word "that" by inserting the words "legislation comparable to", and

Be further amended on page 2, line 6, after the number "2265" by inserting the words and figures "of the 92nd Congress".

And be further amended on page 2, line 13, after the word "enact" by inserting "legislation comparable to"; and after the number "2265" by inserting the words and figures "of the 92nd Congress",

And, as amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 12, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 60, respectfully



report as follows: That House Bill No. 60 be amended on page 1, in the title, of the original and reproduced bill on line 9 by adding a comma after the figures "71-241" and by striking in line 10, page 1, the word and figures "[through 71-250]" and the insertion in lieu thereof the following word, figures, and punctuation: "71-243, 71-244, 71-245, 71-246, 71-248 and 71-249" and

Further amend in line 13, page 1, by adding after the word "lien" the words, figures, and punctuation "and amending 71-247, R.C.M. 1947." and that House Bill No. 60

Be further amended by striking from line 21, Section 2, page 1, the figures and punctuation "[71-242,]" and by striking on line 22, page 1, the figures and punctuation "[71-247,]" and the further figures and punctuation "[and 71-250.]".

And that House Bill No. 60 be further amended on page 1, line 24, by adding a new section as follows: "Section 3. Section 71-247, R.C.M. 1947, is amended to read as follows: '71-247. Recovery from the estate of a decedent—claim for assistance paid. Upon the death of any recipient of public assistance other than aid to dependent children, or general relief, the state department of public welfare shall execute and present a claim against the estate of such person within the time specified in the published notice to creditors in the estate matter for the total amount of assistance paid under this act, separately stating therein the amount of all assistance paid from and after the 1st day of July, 1953.

The State Board of Public Welfare shall not assert its claim during the lifetime and continued occupancy of any real estate of a deceased recipient's estate by the surviving spouse or dependent as a home or residence unless other claimants or persons shall have instituted proceedings for the probate of the estate of the deceased recipient, in which case the board shall file its claim hereunder.'".

And, as amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 11, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 do pass.

SHELDEN, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do pass.

SHELDEN, Chairman

Report adopted.

January 11, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 be amended in Section 1, page 2, line 16, by striking the words "[since the]" and inserting in lieu thereof the word "any"; and striking the word "[are]" and inserting in lieu thereof the words "that is".

Further amend Section 1, page 2, line 17, by striking the word "[the]" that falls between "of" and "works" and inserting in lieu thereof the word "its"; and strike the "," (comma) after "works".

Further amend on Section 1, page 2, line 18, by striking the words "[such corporations are also]" and inserting in lieu thereof the word "is".

Further amend Section 1, page 2, line 19, by striking the word "[them]" and inserting in lieu thereof the word "it".

And, as amended, do pass.

SHELDEN, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended on page 1, title, line 6, by deleting the words "[providing a code of]", and inserting in lieu thereof the words, "relating to" after the word "act", and

Further be amended on page 1, title, line 7, by inserting the word "partially" after the word "to" and before the word "implement".

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do pass.

HALL, Chairman

Report adopted.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 8, introduced by Tierney, Murphy, Kessner, H. Harper, Turman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending the establishment and maintenance of the Sun River Game Preserve. Referred to Committee on Fish and Game.

House Joint Resolution No. 9, introduced by Turman, Bardonou, Brown, Lucas, McKittrick, Kosena, Bradley, Baucus, Towe, Norman, Halvorson, H. Harper, Fasbender, Ainsworth, Tierney: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Environmental Quality Council to undertake a Montana Land Use Policy and Legislation Study and requesting the Governor to appoint a Montana Land Law Review Temporary Commission with inter-departmental and citizen participation. Referred to Committee on Natural Resources.

House Bill No. 101, introduced by Bardanoue, Bennetts: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, to replace Columbus Day, the second Monday in October, with the fourth Friday in November as a legal holiday." Referred to Committee on State Administration.

House Bill No. 102, introduced by Brand: A bill for an act entitled: "An act extending the jurisdiction of the state prison; and amending Section 94-4203, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 103, introduced by Swanberg, Edland, Staigmilller: A bill for an act entitled: "An act amending Section 69-6013, R.C.M. 1947, relating to the duty of County Attorneys with respect to refuse disposal districts and boards; providing an exception to the duty of County Attorney to defend suits; providing for employment of counsel by a Refuse Control District or Board in certain cases." Referred to Committee on Judiciary.

House Bill No. 104, introduced by Baucus, Lombardi, Hodges, Staigmilller, East, Ellerd and McKittrick (by request): A bill for an act entitled: "An act to amend Section 87-148, R.C.M. 1947, providing for additional definitions of base period and benefit year, amendments to conform with reorganization as provided in Title 82A, Chapter 10, R.C.M. 1947; amendments to clarify employer coverage; and deletion of language no longer applicable." Referred to Committee on Labor and Employment Relations.

House Bill No. 105, introduced by Cox, Stephens, Haines, Lynch, Baeth, Laas, McKittrick, Rolfe, Barrett, Olson, Smith, Lee, Hager, Walborn, Nichols, Schye, Schepens, Mehrens, Glennen, Galt, Lund, Quilici, Clemow, Seifert, Ainsworth, Hodges, Staigmilller, Lucas, Warfield, Forsgren, Mercer, Marks, East, Hubing, R. Harper, Gunderson, Jacobsen, Fagg, Ulmer, Kvaalen, Fleming, Kosena, and Selstad: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official dates of the Veterans' and Memorial Day holidays." Referred to Committee on State Administration.

House Bill No. 106, introduced by Stephens, Gunderson, Cox, Selstad, Staigmilller, Kessner, Kolstad, Johnston, Stoltz, Manuel, Jacobsen, Lien, Holtz, Brand, Fleming, Hageman, Fasbender, Gerke, Bardanoue and Laas: A bill for an act entitled: "An act repealing Section 3-2920, R.C.M. 1947, which provided for the 'Montana Wheat Research and Marketing Act' to be in effect for seven (7) years from August 20, 1967." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 107, introduced by Lynch, Hall and Mehrens: A bill for an act entitled: "An act amending Section 11-1821, R.C.M. 1947, to base policemen's retirement pay on their last month's salary rather than the last year's salary." Referred to Committee on Labor and Employment Relations.

House Bill No. 108, introduced by Fasbender, Lucas, Hall, Greely, Fagg, Turman, Bardanoue, Staigmilller, Gunderson, Hodges, Kessner and Tierney: A bill for an act entitled: "An act to amend the statutes relating to the creation and operation of drainage districts in the State of Montana, and their adaptation to flood control projects, as contained in Sections 89-2201 through 89-2825, R.C.M. 1947, so as to provide that when benefits of such projects are received by improvements to land, or facilities or structures placed on or in land, the benefits so received may be subject to assessment for district costs of the project; amending Section 89-2330 to include improvements, facilities and structures as subject to assessment and clarifying the inclusion of public utilities in the payment of assessments; amending Sections 89-2332, 89-2333, 89-2334, 89-2337, 89-2338, 89-2405, and 89-2410, R.C.M. 1947, so as to include improvements; and providing an effective date." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Laas in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 50 do pass (97-0).

That House Bill No. 51 do not pass (50-49).

That House Bill No. 59 do pass (95-0).

That Senate Joint Resolution No. 1 be concurred in (95-0).

That Senate Bill No. 19 be concurred in (97-0).

That Senate Bill No. 34 be concurred in (94-1).

That House Bill No. 46 do pass (85-11).

That House Bill No. 33 do pass (91-7).

The the Committee rise and report.

LAAS, Chairman

Report adopted.

Fasbender moved that the House adjourn until 10:00 a.m., January 13, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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TWELFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 13, 1973

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Marbut, Huennekens, Tierney and Nichols, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having



examined the daily journal for the Eleventh Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

January 12, 1973

Mr. Speaker: We, your Committee on Education having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do pass.

GUNDERSON, Chairman

Report adopted.

January 13, 1973

Mr. Speaker: We, your Committee on Education having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 be amended on page 1, after line 20 of the bill, by adding the following new material:

“BE IT FURTHER RESOLVED, that any credit at a community college within the state for any course which meets the standards of college accreditation shall be transferable among each other and among all units of the university system.”

And as amended, do pass.

GUNDERSON, Chairman

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

January 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, title and history agreed to and passed, and are herewith transmitted to the House for concurrence:

Senate Bill No. 11, introduced by Moore and Lynch

Senate Bill No. 13, introduced by Moore and Lynch

Senate Bill No. 16, introduced by Moore and Lynch

Senate Bill No. 20, introduced by Moore and Lynch

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 109, introduced by Gunderson, Regan and Cox: A bill for an act entitled: “An act providing for the development of teacher evaluation procedures and relating to the termination of services of non-tenure teachers.” Referred to Committee on Education.

House Bill No. 110, introduced by Quilici, Flynn, Mehrens, Lombardi, Lee, Menahan, Lundgren, Ainsworth, Lockrem, Kvaalen, Seifert, Driscoll, Johnston, Stephens, Manuel, Lynch, Kosena, Stoltz, Murphy, Shelden, Baeth, Healy, Brand, Yardley, Hall, Fasbender, Harper, Fleming, Gunderson, Bradley, Swanberg, Cotton, Colberg, Holmes, McKittrick, Bennetts, Norman, Gerke, Laas, Aageson, Cox, Lucas: A bill for an act entitled: "An act to provide that a plaintiff in an open pit mining eminent domain action must agree to purchase all property within three hundred (300) yards of the condemned tract; providing further that the cost of replacement shall be considered in determining value of buildings owned by the city, county, or state; amending Sections 50-813, 50-815 and 50-816, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 111, introduced by Lockrem and Swanberg: A bill for an act entitled: "An act to amend Section 66-403, R.C.M. 1947, to provide for additional schooling for an apprentice barber after having failed to pass the examination for a barber's certificate; and to require a ninety (90) day residence period prior to the issuance of a barber's certificate." Referred to Committee and Business and Industry.

House Bill No. 112, introduced by Swanberg, Tierney, Halvorson, Gunderson, Schye, Fasbender, McKittrick, Greely, Bell, Towe, Harper, Lucas, Staigmler, and Hodges: A bill for an act entitled: "An act providing for the licensing and regulation of motor vehicle wrecking facilities; controlling junk vehicles in nonwrecking yard locations; the establishment of motor vehicle graveyard facilities, and related matters thereto; and the establishment of an effective date." Referred to Committee on Business and Industry.

House Bill No. 113, introduced by Bardanoue: A bill for an act entitled: "An act amending Section 81-2404, R.C.M. 1947, to permit transfer of funds among state land income accounts for the purposes of defraying the costs of developing the lands." Referred to Committee on State Administration.

House Bill No. 114, introduced by Cox, Glennen, Mercer, Hager, Fagg, Galt, Schye, Lockrem, Forsgren, Regan, Holmes, Colberg, Huennekens, Towe, Lund, Warfield and Gerke: A bill for an act entitled: "An act amending Section 75-7103, R.C.M. 1947, to allow a combination of school buildings, or more than one school bus, to be considered a single purpose requiring only a single school bond election ballot; and providing an effective date." Referred to Committee on Education.

House Bill No. 115, introduced by Lombardi, McKittrick (by request), East, Staigmler, Hodges, Baucus and Ellerd: A bill for an act entitled: "An act to amend Section 87-110, R.C.M. 1947, providing period of coverage and election for coverage by exempt employers and political subdivisions; amendments to conform with reorganization as provided in Title 82A, Chapter 10, R.C.M. 1947; and deletion of language no longer applicable." Referred to Committee on Labor and Employment Relations.

House Bill No. 116, introduced by Lockrem and Kosena: A bill for an act entitled: "An act to amend Section 25-508, R.C.M. 1947, to provide for expenses for county treasurers when attending a general association meeting." Referred to Committee on Local Government.

House Bill No. 117, introduced by Tierney and Fagg: A bill for an act entitled: "An act amending Section 26-1101, R.C.M. 1947, providing that the fish and game director may not issue permits to trap fur-bearing animals or destroy predatory animals within the limits of certain game preserves within Montana." Referred to Committee on Fish and Game.

House Bill No. 118, introduced by Kendall, Turman, Kimble and Lundgren: A bill for an act entitled: "An act providing for collection of service charges by cities and towns operating a municipal sewer or water system;

giving of notice to owners of real estate of delinquency in payment of service charges; and certification to the county assessor or real estate upon which service charges remain unpaid; and adding a new Section 84-7426.1, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 119, introduced by Bell, Bardanouve, Kolstad, McKitt-rick, Marks, Hubing, Yardley, Swanberg: A bill for an act entitled: "An act to provide for uniform taxation of retirement income, exempting all retirement income of three thousand six hundred dollars (\$3,600) or less from state income tax; amending Sections 84-4905, 31-221, 68-1303, 68-1420, 75-6215 and 93-1126, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 120, introduced by Lynch, Lee, Quilici, Stephens: A bill for an act entitled: "An act to repeal Sections 71-233 through 71-240, R.C.M. 1947, relating to the liability for contribution to the support of an applicant for public welfare assistance by the applicant's relatives." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 121, introduced by Towe, Bradley, R. Harper, H. Harper, Murphy, Norman, Johnston, Turman, Holmes, Brand, Driscoll, Huennekens, Hall and Bardanouve: A bill for an act entitled: "An act to amend Section 70-106, R.C.M. 1947, to require the public service commission to use the original cost of utility property as a base for fixing rates." Referred to Committee on Business and Industry.

House Bill No. 122, introduced by Towe, Bradley, R. Harper, H. Harper, Murphy, Norman, Johnston, Turman, Holmes, Regan, Brand, Driscoll, Huennekens, Bardanouve and Hall: A bill for an act entitled: "An act to provide that the value assigned to public utility property by the Public Service Commission be used for assessment purposes, amending Section 84-101, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 123, introduced by Ulmer, Cotton, Cox, Lucas, Warfield, Yardley, Lynch, Shelden, Kendall, Jacobsen, Zimmer, Brand, Forsgren, Barrett and Murphy: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high schools; amending Section 75-6905, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

House Bill No. 124, introduced by Cotton, Halvorson, Hubing, Stoltz, Stephens, Schepens: A bill for an act entitled: "An act to forbid the use of national school bus glossy yellow as a color for school buses which have been converted to other uses." Referred to Committee on Highways and Transportation.

House Bill No. 125, introduced by Warfield, Swanberg, Fasbender, Fagg, Cox, Greely, Regan, Lee, Menahan, McKittrick, Gunderson, Gerke, Cotton, Yardley, Forsgren, Lynch, Healy, Brown, Haines, Holmes, Prevost, Murphy, Mehrens, Driscoll, Brand, Schepens, H. Harper, Towe, Quilici, Tierney, Kessner, Bradley, Bennetts, Watt, Baucus, Hager, Roberts, Lombardi, Olson, Colberg, Norman, Baeth, Hodges, Kimble, Shelden, R. Harper, Turman, Barrett, Staigmiller, Huennekens: A bill for an act entitled: "An act to authorize elementary district trustees to establish as part of the elementary school a program for five-year-olds; to provide that the program be funded through the foundation program; to provide a funding base for the first year of the program; and amending Sections 75-6902, 75-6903, 75-6917, and 75-7507, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 126, introduced by Kvaalen, Fagg, Johnston, Schepens, Marks, McKittrick, Staigmiller: A bill for an act entitled: "An act amending Section 26-301, R.C.M. 1947, to forbid hunters to drive their

vehicles off established roads or trails, except to remove a slain animal." Referred to Committee on Fish and Game.

House Bill No. 127, introduced by Bardanouve, Gerke, Fagg, Norman, Regan, Baucus, Hall, Colberg, Tierney, Fasbender, Turman, Schepens, Menahan, Fleming, Bradley, Greely, Towe, R. Harper, Swanberg, Kosena, Gunderson, Stephens, Ainsworth, Quilici, Holmes, Driscoll, Sheldon, Johnston, Edland, H. Harper, Haines, McKittrick: A bill for an act entitled: "An act to vest in the Department of Natural Resources and Conservation the authority to require and review long-range planning by certain utilities, to give approval to energy generation and conversion plant sites and associated facilities, to require preconstruction certification of such facilities; providing penalties for violation of this act; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 11, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to revise statutory references to the constitutional oath of office in accordance with the provisions of Article III, Section 3 of the Montana Constitution of 1972; amending Sections 11-719, 11-3326, 16-3204, 59-413, 72-102, R.C.M. 1947; and repealing Section 59-414, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 13, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to amend Section 23-2602, R.C.M. 1947, to comply with Article IV, Section 1 of the 1972 Montana Constitution by requiring that all elections be by secret ballot." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 16, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to comply with Article V, Section 2 of the 1972 Montana Constitution directing the Montana Districting and Apportionment Commission to provide for a House of Representatives of one hundred (100) members and for a Senate of fifty (50) members." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 20, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 94-5402, R.C.M. 1947, to comply with Article V, Section 13(3) of the 1972 Montana Constitution by requiring a vote of two-thirds of the members of the House of Representatives instead of a vote of a majority of the members to impeach a state officer." Referred to Committee on Constitution, Elections and Federal Relations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Bradley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 14 do pass (93-2).

That House Bill No. 15 be passed to the bottom of the list.

That House Bill No. 27 do pass (90-4).

That House Bill No. 32 do pass (94-1).

That House Bill No. 64 do pass (93-2).



That House Bill No. 72 be passed to the bottom of the list.

That House Bill No. 75 be passed for the day.

That House Joint Resolution No. 3 do pass (93-0).

That House Bill No. 74 do pass (80-15).

That House Bill No. 15 be amended in Section 245, page 258, line 12, by striking the word "[by]", and as so amended, do pass (63-32).

That House Bill No. 72 be passed for the day.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

BRADLEY, Chairman

Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Schye. Total 1.

Excused: Huennekens, Marbut and Tierney. Total 3.

Absent or not voting: None.

House Bill No. 20 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lass, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett, Campbell, Castles, Hubing, Marks, Rolfe and Zimmer. Total 7.

Excused: Huennekens, Marbut and Tierney. Total 3.

Absent or not voting: None.

House Bill No. 23 passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, Burnett, East, Ellerd, Galt, Kolstad, Lund, Nichols, Olson, Rolfe, Schye, Seifert, Smith, Walborn, Zimmer. Total 15.

Excused: Huennekens, Marbut and Tierney. Total 3.

Absent or not voting: Selstad. Total 1.

House Bill No. 25 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Brand, R. Harper, Healey, Lee, Lombardi, Lynch, Quilici, Schye, Zimmer. Total 9.

Excused: Huennekens, Marbut, Tierney. Total 3.

Absent or not voting: None.

House Bill No. 40 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Huennekens, Marbut, Tierney. Total 3.

Absent or not voting: Bradley, Stephens, Swanberg. Total 3.

Fasbender moved that Third Reading of House Bill No. 48, Senate Joint Resolution No. 1, and Senate Bills Nos. 3, 19, and 34 be passed for the day.

Motion carried.

## REPORTS OF STANDING COMMITTEES

January 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 28, 33, 46, 50, 59.

QUILICI, Chairman

January 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Joint Resolution No. 1, House Bills Nos. 41, 61, 70, 65, 31 and 52.

QUILICI, Chairman

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules Committee consider amending Joint Rule 6-21 to permit stricken matter in enrolled bills to be lined through.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 15, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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THIRTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 15, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Cotton, Laas, Lockrem, Mercer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 12th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the

following bills correctly printed: House Joint Resolution No. 4, and House Joint Resolution No. 5.

QUILICI, Chairman

January 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 14, 27, 32, 64, 74 and House Joint Resolution No. 3.

QUILICI, Chairman

January 15, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

MEHRENS, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do pass.

MEHRENS, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do pass.

MEHRENS, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do pass.

MEHRENS, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do pass.

KOSENSA, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

Be amended on page 2, Section 1, line 17, following the word "affected." Insert two new Sections as follows:



Section 2. Section 16.2501.1. Initiation of consolidation by county commissioners—procedure. The board or boards of county commissioners may initiate the consolidation of county offices under the procedure set forth in this act. Any board or boards of county commissioners desiring to consolidate any two or more offices or any two or more offices among several counties under the provisions of this chapter shall first pass a resolution stating the intent of the board or boards of county commissioners to consider consolidation.

Section 2. Section 16-2502 is amended as follows:

Section 16-2502. Examination of petitions—petition and consolidation by county commissioners—hearings and notice. Upon the filing of any such petition the board or boards of county commissioners shall cause the county clerk or clerks to forthwith examine the same and the registration records of the county and if, after such examination, such county clerk or clerks shall report to said board or boards of county commissioners that such petition or petitions meet the percentage requirements, as stated in Section 16-2501, of the qualified electors of the county whose names appear on such registration records, said board or boards shall set a date for a hearing to consider said consolidation. Upon the passage of the resolution of intent by the board or boards of county commissioners proper notice and a date shall be set for a hearing to consider said consolidation. The date for the hearing shall be not more than twenty days after the filing of such petition or the passage of the resolution of intent. The county clerk or clerks shall cause notice of such hearing to be published one time in the official newspaper of the county, which publication must be at least ten days before the date set for said hearing, and if there be no newspaper of general circulation printed and published in said county, then such notice must be posted by the county clerk or clerks, at least ten days before the date set for such hearing, in three public places in the county or counties. Said notice shall either contain a copy of said petition, with the signatures omitted, or a copy of the resolution of intent passed by the board or boards of county commissioners, and shall state the time and place fixed for hearing the same, and that on such hearing any taxpayer of the county may appear and be heard in support of or in opposition to said petition.

be further amended on page 2, line 18, by changing Section 2 to Section 4.

be further amended on page 2, line 25, by changing Section 3 to Section 5.

be further amended on page 3, line 12; after the word "offices," insert the words "as they shall deem proper."

be further amended on page 3, line 13, by changing Section 4 to Section 6.

be further amended on page 3, line 23, by changing the word "six" to the word "two".

be further amended on page 4, line 1, by changing Section 5 to Section 7.

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution

No. 6, respectfully report as follows: That House Joint Resolution No. 6 be amended as follows:

Amend the title of the resolution beginning on line 9, page 1 of the title, by deleting the language following the word "conflict" to the end of the title. Further amend on page 1, line 13, by striking "President Nixon has" in lieu thereof "successive administrations have". Amend on page 1, line 16, by striking the words "President Nixon" and placing in lieu thereof "the executive branch," and further amend on page 1, line 16, by striking the word "his". Amend on page 2, by striking lines 3 and 4. Amend further on page 2, lines 14 and 15, by striking after the word "appropriations" the remainder of the sentence and adding a "period" after the word "appropriation". Further amend on page 2, line 15, by adding after the following sentence a new sentence "Subject only to the release of all prisoners, account of all missing in action, and the safety withdrawal of all of our forces."

And, as amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 be amended on line 1, Section 1, after the figure "1", by striking the following material, created by Article VII, Section 1 of the 1889 Constitution is hereby created by law. (2) The office", and

further amend on line 17, Section 1, before the word "the" by striking: "(a)" and inserting in lieu thereof "(1)", and

further amend on line 20, Section 1, before the word "the" by striking: "(b)" and inserting in lieu thereof "(2)", and

As amended do pass.

BRAND, Chairman

Report adopted.

January 13, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be amended on page 1, line 6, in the title, after the word "Constitution" by striking the following material: "; and providing an immediate effective date", and

further amend on page 1, Section 2, Subsection (3), line 22, after the word "commission" by striking ".", and inserting in lieu thereof the following material: "or any successor agency.", and

further amend on page 3, Section 4, line 3, after the word "sum" by striking the following material: "of twenty-five dollars (\$25) per day", and inserting in lieu thereof the following material: "equal to a legislator's pay", and

further amend on page 3, Section 5, lines 6 through and including line 9, by striking all the material contained therein and inserting in lieu thereof the following new material: "The committee shall appoint a consumer counsel and set his salary. The consumer counsel shall have the following minimum qualifications and such additional qualifications as the committee determines appropriate:

(1) a bachelor's degree or equivalent from an accredited college or university with a major or minor in accounting or allied fields;

(2) be admitted to practice law in Montana courts and in the United States District Court for the State of Montana.”, and

further amend on page 3, Section 7, Subsection (1), line 18, after the word “any” by striking the following material “regulated company” and inserting in lieu thereof the following new material “party in interest”, and

further amend on page 4, Section 7, Subsection (4), line 3, after the word “examine” by inserting the words “in any commission proceedings”, and

further amend on page 5, Section 9, Subsection (2), line 15, after the word “shall,” by striking the following material “between the first and fifteenth calendar day of January, April, July, and October of each year,” and inserting in lieu thereof the following new material “within 90 days after the close of each calendar quarter.” and

further amend on page 5, Section 9, Subsection (2), line 18, after the word “regulation” by inserting the words “and the department of revenue”, and

further amend on page 5, Section 9, Subsection (2), line 20, after the word “all” by striking the word “regulated”, and

further amend on page 5, Section 9, Subsection (2), line 20, after the word “activities” by inserting the words “regulated by the commission”, and

further amend on page 5, Section 9, Subsection (2), line 21, by striking the following material “the preceding three (3) months” and inserting in lieu thereof the words “that calendar quarter”, and

further amend on page 5, Section 9, Subsection (2), line 22, after the word “the” by striking the word “commission” and inserting in lieu thereof the words “department of revenue”, and

further amend on page 5, Section 9, Subsection (2), line 24, after the word “the” by striking the word “commission” and inserting in lieu thereof the words “department of revenue”, and

further amend on page 6, Section 9, Subsection (3), line 3, after the word “the” by striking the word “commission” and inserting in lieu thereof the words “department of revenue”, and

further amend on page 7, Section 9, Subsection (6), line 14, after the word “the” by striking the word “commission” and inserting in lieu thereof the words “department of revenue”, and

further amend on page 7, Section 10, line 21, by striking in its entirety “Section 10. Effective date. This act is effective on its passage and approval.”

And, as amended, do pass.

MEHRENS, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do not pass.

STAIGMILLER, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 79.

Noes: Bardanouve, Barrett, Driscoll, Edland, Galt, Hageman, Jacobsen, Kessner, Lynch, Murphy, Schye, Tierney, Zimmer. Total 13.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Bell, Lundgren, Burnett, Yardley. Total 4.

January 15, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 be amended in the title on page 1, line 8, after the word "licenses;" by adding the following new material: "reducing the age for a Pioneer License from sixty-five (65) to sixty-two (62);", and

be further amended in Section 1, Subsection 14, page 8, line 3, after the word "is" by striking the following material: "sixty-five (65)" and inserting in lieu thereof the following material: "sixty-two (62)", and

be further amended in Section 3, page 10, line 25, after the word "accesses," by striking the following material: "land for parks," and

As amended do pass.

STAIGMILLER, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do not pass.

STAIGMILLER, Chairman

As a substitute motion, Hager moved that House Bill No. 82 do pass.

As a substitute motion for all motions pending, Hall moved that House Bill No. 82 be rereferred back to the committee for further consideration.

Motion carried.

## MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and place House Joint Resolution No. 5 on Second Reading this day. Motion carried.

## MESSAGES FROM THE SENATE

January 13, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day read third time, title and history agreed to and passed, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 15, introduced by Moore and Lynch.

Senate Bill No. 64, introduced by Himsl, James and Breeden.

Sincerely yours,

WALTER H. MARSHALL  
Secretary of the Senate



## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Resolution No. 3, introduced by Holmes, Hodges, Huennekens, H. Harper, Greely, Bennetts, Kendall, Halvorson, Kimble, Stoltz, R. Harper, Towe, Bradley, Murphy, Laas, Regan, Hager, Fagg, Yardley: A Resolution of the House of Representatives of the State of Montana requesting the Department of Administration to recommend to all state agencies to make use of recycled paper wherever feasible. Referred to Committee on State Administration.

House Joint Resolution No. 10, introduced by Holmes (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana designating Miss Montana as an honorary hostess of the State of Montana. Referred to Committee on State Administration.

House Bill No. 128, introduced by Yardley: A bill for an act entitled: "An act to amend the Dangerous Drug Act, by adopting substantially the definitions, procedures, standards and schedules and the regulatory provisions of the Uniform Controlled Substances Act as recommended by the National Conference of Commissioners of Uniform State Laws; by excluding from such schedules non-narcotic drugs which may be lawfully sold over the counter without a prescription; by repealing Sections 54-129, 54-131, and 66-1504.1, R.C.M. 1947; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 129, introduced by Cox, Fagg, Mercer, Hager, Greely, McKittrick, Swanberg, Hall, Olson, Lucas: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M. 1947, to increase annual salary of court reporters." Referred to Committee on Judiciary.

House Bill No. 130, introduced by Zimmer, Marks: A bill for an act entitled: "An act amending Section 82-1208, R.C.M. 1947, relating to appointment of acting fire marshals, special deputy fire marshals and fire marshal's employees." Referred to Committee on State Administration.

House Bill No. 131, introduced by Lynch, Lee, Quilici, Lombardi, R. Harper, Healy, Mehrens, Kosena, Menahan, Baeth, Shelden, Lucas, McKittrick, Cox: A bill for an act entitled: "An act providing for an increase in silicosis benefits' payments as administered by the Division of Workmen's Compensation; amending Sections 71-1003, 71-1004 and 71-1008, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 132, introduced by Edland, Prevost, Murphy, Norman, Kolstad, Kimble, Jacobsen, Gunderson, Fleming, Schye, Lund: A bill for an act entitled: "An act to control corporate farming; providing for administration and enforcement by the Secretary of State and Attorney General; to be known as the 'Montana Family Farm Act of 1973'." Referred to Committee on Agriculture.

House Bill No. 133, introduced by Fagg, Warfield, Yardley, Forsgren, Regan, Lucas, Colberg, Baucus, Turman, Holmes, Bradley, McKittrick, Johnston, Stoltz, Lundgren, H. Harper, Glennen, Mercer, Castles, Norman, Bennetts, Halvorson, Kimble, Holtz, Murphy, Swanberg, Cox, Huennekens, Shelden, Fleming, Bardanouve, Fasbender, Ainsworth, Hageman, Hager, Brown, Towe, Watt: A bill for an act entitled: "An act to establish a statewide system for designation and management of wild, scenic and recreational waterways." Referred to Committee on Agriculture.

House Bill No. 134, introduced by Greely, Tierney, Swanberg, R. Harper, Stephens, McKittrick: A bill for an act entitled: "An act to amend Section 15-2014, R.C.M. 1947, to allow compensation to broker-

dealer for certain exempt transactions." Referred to Committee on Business and Industry.

House Bill No. 135, introduced by Kendall, Turman: A bill for an act entitled: "An act authorizing cities and towns to hold elections on the issuance of general obligation bond issue without there first having been filed a petition calling such election; authorizing the issuance of revenue bonds without an election; amending Sections 11-2301, 11-2306 and 11-2404, R.C.M. 1947; and repealing Section 11-2307, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 136, introduced by Kendall, Turman: A bill for an act entitled: "An act to amend Sections 16-2021 and 16-2301, R.C.M. 1947, by authorizing counties to hold elections on the issuance of general obligation bond issues without there first having been filed a petition calling such election and authorizing the issuance of revenue bonds without an election." Referred to Committee on Local Government.

House Bill No. 137, introduced by Hodges (by request): A bill for an act entitled: "An act to provide for voluntary euthanasia for certain individuals with terminal illnesses subject to the attending physicians determination that the individual has voluntarily requested euthanasia; and providing penalties for violation of the act." Referred to Committee on Public Health and Welfare and Safety.

House Bill No. 138, introduced by Glennen, Cox, Mercer, Hager: A bill for an act entitled: "An act amending Section 11-1803, R.C.M. 1947, increasing the probationary period served by newly appointed policemen from six (6) months to one (1) year." Referred to Committee on Local Government.

House Bill No. 139, introduced by Greely, Swanberg, Fasbender, Holtz, McKittrick, Staigmillier, Hall: A bill for an act entitled: "An act to amend Section 11-3207, R.C.M. 1947, to provide for a method of selection of commissioners under commission-manager plan." Referred to Committee on Local Government.

House Bill No. 140, introduced by Brand, Lund: A bill for an act entitled: "An act providing for permits for disinterments of dead bodies and for administration by the Department of Health and Environmental Sciences." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 141, introduced by Jones, Brown, Turner, Aageson, Barrett, Smith, Kolstad, Burnett, Lundgren, Holtz, Clemow, Schye, Walborn, Lynch, Laas, Murphy, Campbell: A bill for an act entitled: "An act to require county assessors to remove from the list of taxpayers holding property as joint tenants the name of a deceased joint tenant upon due proof of death; providing an effective date." Referred to Committee on Taxation.

House Bill No. 142, introduced by Fasbender: A bill for an act entitled: "An act to amend Section 75-5903, R.C.M. 1947, to restore the provisions for additional trustees for a third class high school district as they existed prior to the 1971 codification and general revision of Title 75." Referred to Committee on Education.

Senate Bill No. 15, introduced by Moore, Lynch: A bill for an act entitled: "An act to amend Section 59-301, R.C.M. 1947, to comply with Article IV, Section 4 of the 1972 Montana Constitution by allowing individuals eighteen (18) years of age or older to hold civil office." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 64, introduced by Himsl, James, Breeden: A bill for an act entitled: "An act to designate the President of the Senate or the Speaker of the House of Representatives should there occur a tie vote for the purpose of organizing either house." Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Swanberg in the Chair. Committee rose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 72 be amended in Section 2, page 2, line 17, by removing the period after "15-2363" and inserting in lieu thereof "R.C.M. 1947."

And further amend Section 2, page 3, line 15, after the word "use", by striking the following: " , in his own vehicle, and".

And, as amended, do pass. (91-3).

That House Bill No. 75, be amended in Section 1, page 2, lines 9, 10 and 11 by deleting the following words "by a student presently enrolled or accepted or enrolled prior to the commencement of the fall, 1973 term of such department" and inserting in lieu thereof the following legislation "received before July 1, 1975" and further amend Section 1, page 2, line 15, by adding the following:

"After July 1, 1975, a diploma from the department of law of the University of Montana at Missoula shall not entitle the holder to a license to practice law in all courts of this state unless the holder successfully completes the examination required by this Chapter."

And, as amended, do pass. (58-34).

That House Bill No. 41, do pass (87-0).

That House Bill No. 61, do pass (81-7).

That House Bill No. 70, do pass (90-2).

That House Joint Resolution No. 5, do pass (92-0).

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

## REPORTS OF STANDING COMMITTEES

January 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be amended on page 2, Section 1, Subsection (b), line 7, by inserting the words "and probate" after the word "all" so Subsection (b) reads "all civil and probate matters,".

And, as so amended, be concurred in.

HALL, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be concurred in.

HALL, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do pass.

HALL, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be amended on page 1, line 10, title, by deleting the word "second" and inserting the word "regular" in lieu thereof, and

Be further amended on page 2, line 21, by deleting the word "second" and inserting the word "regular" in lieu thereof, and

Be further amended on page 2, line 22, by deleting the word "fifty" and inserting the word "forty" in lieu thereof to correct the typographical error.

And, as amended, be concurred in.

HALL, Chairman

Report adopted.

#### MOTIONS AND RESOLUTIONS

Hall, having voted on the prevailing side in adopting a Committee report on House Bill No. 78, moved that the House reconsider its action.

Motion carried.

Hall moved that House Bill No. 78 be taken from printing and be referred to Committee on Fish and Game.

Motion carried.

Hall moved that House Bill No. 64 be taken from Judiciary and be referred to Bills Committee.

Motion carried.

#### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kol-



stad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Total 0.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Burnett, Fagg, Galt. Total 3.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Greely. Total 1.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Fagg. Total 1.

Senate Bill No. 19 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Fagg. Total 2.

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg,

Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Fagg, Roberts. Total 3.

House Bill No. 28 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Bell, East, Marks. Total 3.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Burnett, Fagg, Roberts, Selstad. Total 5.

House Bill No. 33 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Olson, Seifert, Selstad, Zimmer. Total 4.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Fagg. Total 2.

House Bill No. 46 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Yardley, Zimmer. Total 86.

Noes: Barrett, Olson. Total 2.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Fagg, Holtz, Lucas, Lundgren, Warfield, Watt, Mr. Speaker. Total 8.

House Bill No. 50 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 91.

Noes: None.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Burnett, Fagg, Fasbender, Mr. Speaker. Total 5.

House Bill No. 59 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer. Total 89.

Noes: Bell, Ulmer. Total 2.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Burnett, Fagg, Watt, Mr. Speaker. Total 5.

House Bill No. 48 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 87.

Noes: Johnston, Manuel, Stephens, Stoltz. Total 4.

Excused: Cotton, Laas, Lockrem, Mercer. Total 4.

Absent or not voting: Ainsworth, Burnett, Fagg, Hager, Mr. Speaker. Total 5.

Fasbender moved that the House adjourn until 1:30 p.m., January 16, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## FOURTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 16, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Representative Murphy and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Clemow, Quilici and Cotton, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 13th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 6, 24, 78, 83, 84, 85, 102 and 111, House Joint Resolution 2 and House Resolution No. 2.

FLEMING, Vice-Chairman

January 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 15, 72, and 75.

FLEMING, Vice-Chairman

January 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 41, 61 and 70.

FLEMING, Vice-Chairman

January 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 be amended on page 1, section 1, lines 22, 23 and 24



by deleting all the underlined material in lines 22, 23 and 24 through the words, "against a district or board", and

Be further amended on page 1, section 1, line 25 after the word "suits" by deleting the punctuation period quote "(.)" and adding the words and punctuation "in the event a conflict of interest would prohibit such defense by county attorney." "

And, as amended, do pass.

HALL, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

HALL, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion to amend Joint Resolution 6-21 by providing that material stricken in an enrolled bill be lined through instead of omitted, respectfully report as follows: That the amendment to Joint Resolution 6-21 be not adopted.

FASBENDER, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion to provide that all bills not physically introduced by the 18th day of the session will not be considered in the 43rd Legislature, respectfully report as follows: That the motion be adopted.

FASBENDER, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 be amended in Section 1, subsection (19), page 4, line 14, after the word "diseases" by adding the following material: ", as",

And, as amended, do pass.

GUNDERSON, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do not pass.

GUNDERSON, Chairman

As a substitute motion, Lockrem moved that House Bill No. 53 be printed and placed on Second Reading.

Motion failed.

Therefore, the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 62.

Noes: Asbjornson, Barrett, Bell, Brown, Campbell, Castles, Cox, East, Fagg, Forsgren, Galt, Glennen, Hager, H. Harper, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Selstad, Smith, Tierney, Ulmer, Walborn. Total 33.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Burnett and Ellerd. Total 2.

### MESSAGES FROM THE OTHER HOUSE

January 15, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolution were this day read third time, title and history agreed to and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 24, introduced by Moore and Lynch

Senate Bill No. 25, introduced by Moore and Lynch

Senate Bill No. 30, introduced by Lynch and Moore

Senate Bill No. 33, introduced by Lynch and Moore

Senate Bill No. 35, introduced by Lynch and Moore

Senate Bill No. 41, introduced by James and McCallum

Senate Bill No. 44, introduced by Carl

Senate Joint Resolution No. 3, introduced by Lynch and Moore

Sincerely yours,

WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and place House Bill No. 68 and House Joint Resolution No. 2 on Second Reading this day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 24, introduced by Moore and Lynch (to request): A bill for an act entitled: "An act to provide for eight (8) year terms for the justices of the supreme court in accordance with Article VII, Section 7(2) of the 1972 Montana Constitution; amending Section 93-201, R.C.M. 1947; and repealing Sections 93-202 through 93-206, R.C.M. 1947, which are obsolete." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 25, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 93-302, R.C.M. 1947, to increase the term of office of district court judges from four (4) to six (6) years to comply with Article VII, Section 7(2) of the 1972 Montana Constitution." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 30, introduced by Lynch and Moore (by request): A bill for an act entitled: "An act to bring the qualifications of supreme court justices and district court judges in compliance with Article VII, Section 9 of the 1972 Montana Constitution, by raising the district court residency requirement from one (1) to two (2) years, providing for a five (5) year practice of law requirement and eliminating age requirements; amending Section 93-702, R.C.M. 1947, and repealing Section 93-701, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 33, introduced by Lynch and Moore (by request): A bill for an act entitled: "An act placing the name of the supreme court justices and district court judges on the ballot in uncontested elections to comply with Article VII, Section 8(2) of the 1972 Montana Constitution." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 35, introduced by Lynch and Moore (by request): A bill for an act entitled: "An act to consolidate all sections defining judicial districts into Section 93-301; amending Section 93-301, R.C.M. 1947, and repealing Sections 93-301.1, 93-301.2, 93-301.3 and 93-301.4, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 41, introduced by James and McCallum: A bill for an act entitled: "An act establishing bluebunch wheatgrass as the official grass for the State of Montana." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 44, introduced by Carl: A bill for an act entitled: "An act amending Section 3-512, R.C.M. 1947, to provide that the State Grain Laboratory at Great Falls be the only one authorized to test public warehouse grain and that the fee charged for testing on appeal be commensurate with the cost." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 3 introduced by Lynch and Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to conduct a study of qualifications, training, compensation and number of justices of the peace. Referred to Committee on Judiciary.

House Resolution No. 4, introduced by Schepens, Stoltz, Stephens, Jacobsen, Gunderson, Hageman, Greely, Laas, Zimmer, Edland, Staig-miller, Prevost, Colberg, Regan, Hubing, Baeth, Hodges, Bradley, Swan-berg, Lee, Nichols, Brand, Kosen, Lund, Murphy, Roberts, Driscoll, Cle-mow, Flynn, Baucus, R. Harper, Lombardi, Bennetts, Lien, Lynch, Menahan, Johnston, Marbut, Campbell, Gerke, Marks, Hall, Shelden, Healy, McKitt-rick, Kimble, Manuel, Huennekens: A resolution of the House of Repre-sentatives of the State of Montana urging the President of the United States to restore funding of federal rural development programs vital to the economy of Montana. Referred to Committee on Constitution, Elec-tions and Federal Relations.

House Joint Resolution No. 11, introduced by Marbut, Olson, Bardan-oue, Nichols, R. Harper, H. Harper, Norman, Holmes, Menahan, Lee, Brand, Mehrens, Kolstad, Lynch, Barrett, Galt, Shelden, Fagg, Colberg, Kendall, Watt, Zimmer, Aageson, Hodges, Stoltz, Stephens, Holtz, Turner, Warfield, Driscoll, Huennekens, Baucus, Gunderson, Smith, Brown, Manuel, Turman, Healy, Castles, Bradley, Baeth, Flynn, Kosen, Fleming, Hager, Bennetts, Lucas, Haines, Jacobsen, Ainsworth, Greely, Cox, Fasbender,

Bell, Glennen, Lundgren, McKittrick: A Joint Resolution of the Senate and the House of Representatives of the State of Montana declaring the rights of mentally retarded persons as to opportunities for normalization. Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 12, introduced by Manuel, Gunderson, Fleming, Kolstad, Staigmilller, Johnston, Hageman, Murphy, Stoltz, Stephens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting that the U. S. Congress take action to restore funds for the rural environmental assistance program and the water bank program. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 143, introduced by R. Harper, Towe, Brand, Lombardi, Lucas, Cox, Gunderson, Mehrens, Glennen: A bill for an act entitled: "An act directing county commissioners to fix salaries of certain county officers annually according to statutory schedules; repealing Section 25-609, R.C.M. 1947; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 144, introduced by Lynch, Cox, Quilici, Lee, Mehrens, Glennen, Haines, Marbut, Greely, Healy, R. Harper, Baucus, McKittrick, Lombardi, Menahan: A bill for an act entitled: "An act relating to the work week of deputy sheriffs of first class and second class counties." Referred to Committee on Local Government.

House Bill No. 145, introduced by Baucus, Lombardi, Hodges, Staigmilller, McKittrick (by request): A bill for an act entitled: "An act to amend Section 87-107, R.C.M. 1947, clarifying the determination process for labor disputes; eliminating the withholding of benefits during the appeal period; providing for a finality of determination; eliminating the option of a three (3) member appeal board and retaining a single member appeal tribunal; providing for promptness of the payment of benefits; providing for the transmittal of appealed decisions to the Board of Labor Appeals; providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947; and correcting language." Referred to Committee on Labor and Employment Relations.

House Bill No. 146, introduced by Hageman, Zimmer, Burnett, Fagg, Galt, Cotton, Staigmilller, Murphy, Bennetts, Bradley, Baucus, Gunderson, Marks: A bill for an act entitled: "An act requiring each camper to be registered and to display identifying number and decal; charging each camper owner a one dollar (\$1) fee for registration of each camper; amending Section 84-406, R.C.M. 1947; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 147, introduced by Norman, Ulmer: A bill for an act entitled: "An act to be known as the 'Realty Transfer Act.'" Referred to Committee on Taxation.

House Bill No. 148, introduced by Hager (by request): A bill for an act entitled: "An act to repeal Sections 3-2201, 3-2201.1, 3-2202, 3-2203, 3-2204, 3-2205, 3-2207, 3-2209, 3-2210, 3-2211, and 3-2212, R.C.M. 1947, relating to poultry improvement." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 149, introduced by R. Harper, H. Harper, Tierney, Holmes, Towe, McKittrick, Regan, Turman: A bill for an act entitled: "An act requiring counties to purchase liability insurance for sheriffs and sheriffs' departments." Referred to Committee on Local Government.

House Bill No. 150, introduced by Staigmilller (by request), Lien, Johnston, Stephens: A bill for an act entitled: "An act to provide for a special license classification and fee for the hunting, shooting and taking of mountain lion; amending Section 26-202.1, R.C.M. 1947." Referred to Committee on Fish and Game.



House Bill No. 151, introduced by Staigmillier (by request), Lien, Norman, Johnston, Stephens: A bill for an act entitled: "An act to provide for the exception of mountain lion from the species of game animals as to which the removal of trophy parts or wasting and abandonment of carcass thereof is prohibited; amending Section 26-307, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 152, introduced by Kessner, Tierney, Selstad, Kolstad: A bill for an act entitled: "An act appropriating two thousand seven hundred dollars (\$2,700) from the general fund to the Department of Highways for the purpose of aiding Montana's officially designated marching organization in the 1973 presidential inaugural parade with costs incurred in traveling to Washington, D. C., to represent Montana in the parade, and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 153, introduced by McKittrick, Lee, Healy, Brand, Glennen, Menahan, Baeth, Huennekens, Colberg, Lynch, Zimmer: A bill for an act entitled: "An act to amend Section 11-1932, R.C.M. 1947, increasing minimum wages of firemen." Referred to Committee on Labor and Employment Relations.

House Bill No. 154, introduced by Tierney, Norman, Turman, Gunderson, Swanberg, Murphy: A bill for an act entitled: "An act authorizing local government units to charge tax exempt entities for services supplied for the benefit of said entities." Referred to Committee on Local Government.

House Bill No. 155, introduced by Murphy, Laas, Edland, Turman, R. Harper, Greely, Aageson: A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to change the date of the primary election to the second Tuesday in September." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 156, introduced by Swanberg, Tierney, Bradley, Cox, Ainsworth: A bill for an act entitled: "An act amending Sections 84-4701.1, 84-4701.2 and 84-4701.6, R.C.M. 1947, to exclude the levies for police reserve funds and the firemen's disability and pension funds from the mill limitation of the all-purpose levy." Referred to Committee on Local Government.

House Bill No. 157, introduced by Holmes, Fagg, Bennetts, Stoltz, Watt, Haines, Marbut, Turman, H. Harper: A bill for an act entitled: "An act to prohibit or restrict smoking in public places." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 158, introduced by Kimble, Norman, Bennetts, Turman, Kendall, Edland, Murphy, Bradley, Holmes: A bill for an act entitled: "An act amending Section 92-418, R.C.M. 1947, providing for mental or nervous system injury without trauma in the injury definition section of the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

House Bill No. 159, introduced by Haines, Marbut, Ainsworth, Watt: A bill for an act entitled: "An act making lawful the conducting of bingo and raffles by certain nonprofit organizations; requiring licensing and prescribing regulations therefor." Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Marbut in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second reading, recommend as follows:

That House Joint Resolution No. 1 do pass (93-1).

That House Joint Resolution No. 2 do pass (85-10).

That House Joint Resolution No. 4 do pass (76-20).

That House Bill No. 31 do pass (90-1).

That House Bill No. 52 do pass (55-29).

That House Bill No. 65 do pass (92-0).

That House Bill No. 68 be amended in the title by deleting the word "[promote]", in line 8 and insert after the word "maintain", the word "license". And, as amended, be passed for the day.

That Senate Joint Resolution No. 2 be concurred in (89-2).

That Senate Bill No. 4 be concurred in (84-9).

That Senate Bill No. 22 be concurred in (95-0).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

MARBUT, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 14 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Burnett, Edland, Walborn. Total 3.

House Bill No. 27 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena,

Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Burnett, Galt, Haines. Total 3.

House Bill No. 32 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Burnett, Fleming, Galt. Total 3.

House Bill No. 64 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Schye. Total 1.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Burnett, Stephens. Total 2.

House Bill No. 74 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Campbell, Castles, Cox, Driscoll, East, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Edland, Mr. Speaker. Total 80.

Noes: Baucus, Colberg, Ellerd, Fagg, Hager, H. Harper, Holmes, Kessner, Kimble, Kolstad, Lien, Mercer, Norman, Regan, Zimmer. Total 15.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Bennetts, Burnett. Total 2.

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Asbjornson, Barrett, Bennetts, Burnett, Norman. Total 5.

## REPORTS OF STANDING COMMITTEES

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 be amended on page 3, section 1, subsection (2), line 22, after the word "section" by striking the figure "5" and inserting in lieu thereof the figure "4", and

Be further amended on page 5, section 1, subsection (4), line 25, after the word "section" by striking the figure "5" and inserting in lieu thereof the figure "4", and

Be further amended on page 6, section 2, subsection (1), line 17, through and including line 20 by striking all the material contained therein, and

Be further amended on page 6, section 2, subsection (1), line 22, after the word "institutions" by striking the following material "[not located in the capitol]", and

Be further amended on page 8, section 3, line 7, after the word "collected" by inserting the words "in connection with such endowments", and

Be further amended on page 10, section 4, subsection (7), before the word "counties" by inserting the words "municipalities and", and

Be further amended on page 10, section 5, subsection (2), line 19, after the word "section" by striking the figure "[8]" and inserting in lieu thereof the figure "7", and

Be further amended on page 11, section 5, subsection (4), line 6, after the word "investment" by striking the word "[funds]" and inserting in lieu thereof the word "fund", and

Further amend on page 11, section 5, subsection (5), line 16, after the word "purpose" by striking the following material "[are annually and perpetually]" and inserting in lieu thereof the words "shall be", and



Further amend on page 11, section 5, subsection (5), line 16, after the word "appropriated" by inserting the words "by the legislator", and

Further amend on page 11, section 6, line 24, after the word "accounts" by inserting the words "not otherwise specifically designated by law to be invested", and

Further amend on page 11, section 6, line 24, after the word "pooled" by inserting the following material "in an account to be designated 'Treasury Cash Account' and placed", and

Further amend on page 11, section 6, line 25, after the word "below", by inserting the following material "The share of the income for this account shall be credited to the general fund.", and

Further amend on page 12, section 6, line 1, after the word "jointly for" by inserting the word "all", and

Further amend on page 12, section 6, subsection (2), line 10, after the word "investment" by striking the word "[funds]" and inserting in lieu thereof the word "fund", and

Further amend on page 13, section 7, subsection (a), line 12, after the word "section" by striking the figure "5" and inserting in lieu thereof the figure "4", and

Further amend on page 13, section 7, subsection (1), line 9, after the word "section" by striking the figure "[7]" and inserting in lieu thereof the figure "6", and

Further amend on page 14, section 7, subsection (e), line 23, after the word "shall" by striking the following material "[designate depositories for such interest bearing deposits and]", and

Further amend on page 15, section 7, subsection (A), line 6, after the figure "(A)" by striking the following material "[the appraised value of the property equals or exceeds seventy-five percent (75%) of the principal amount of the loan secured by the mortgage, or]", and inserting in lieu thereof the following material "the principal amount of the loan secured by the mortgage is seventy-five percent (75%) or less of the appraised value of the property; or", and

Further amend on page 15, section 7, subsection (2), line 22, after the word "to" by striking "[ (d) ]" and inserting in lieu thereof "(e)", and

Further amend on page 16, section 7, subsection (iii), line 19, after the word "than" by striking the word "[five]" and inserting in lieu thereof the word "two", and

Further amend on page 16, section 7, subsection 7, subsection (iii), line 19, after the word "percent" by striking the figure "([5%])" and inserting in lieu thereof the figure "(2%)", and

Further amend on page 16, section 7, subsection (iii), line 23, before the comma "," by striking the words "[subsection (c)]" and inserting in lieu thereof the words "paragraphs (i) and (ii) above", and

Further amend on page 17, section 7, subsection (d), line 3, after the word "exceed" by striking the word "[sixty]" and inserting in lieu thereof the word "twenty-five", and

Further amend on page 17, section 7, subsection (d), line 4, before the word "of" by striking the figure "([60%])" and inserting in lieu thereof the figure "(25%)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 be amended on page 1 in the title on line 8 after the word "of" by striking the following material "[ninety (90 days)]" and inserting in lieu thereof the following material "six (6) months", and

Further amend on page 1 in the title on line 9 after the word "employment" by striking the following material "[and to provide that it shall be unlawful for an employer to terminate or separate an employee from his employment in an attempt to circumvent the provisions of this law]", and

Further amend on page 1, section 1, line 25, after the word "of" by striking the following material "[ninety (90) days]" and inserting in lieu thereof the following new material "six (6) calendar months", and

Further amend on page 2, section 1, subsection (2), line 14 through and including line 16 by striking in its entirety all the material contained therein, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 be amended on page 1 in the title on line 8 after the word "the" by striking the word "[fourth]", and

Further amend on page 1 in the title on line 8 after the word "Friday" by striking the words "[in November]" and inserting in lieu thereof the words "following Thanksgiving Day", and

Further amend on page 2, section 1 subsection (10), line 5, after the word "the" by striking the following material "[fourth Friday in November]" and inserting in lieu thereof the following new material "Friday following Thanksgiving Day",

And, as amended do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do pass.

BRAND, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 be amended on page 3, section 1, subsection (8),

line 8, before the word “, and” by striking the date “[May 30]” and inserting in lieu thereof the date “November 11”, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do not pass.

BRAND, Chairman

Report was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Burnett, Campbell, Castles, Cox, Driscoll, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lynch, Lockrem, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Nichols, Norman, Olson, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Watt, Yardley. Total 72.

Noes: Colberg, Holmes, Laas, Mercer, Murphy, Regan, Towe, Ulmer. Total 8.

Excused: Clemow, Cotton, Quilici. Total 3.

Absent or not voting: Baucus, Bennetts, Brown, East, Edland, Fagg, Hubing, Huennekens, Jones, Kolstad, Lund, Lundgren, Prevost, Schye, Selstad, Zimmer, Mr. Speaker. Total 17.

Fasbender moved that the House adjourn until 1:30 p.m., January 17, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### FIFTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 17, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Gunderson, Hall, Kosena, Lund and Prevost, excused, and Baucus, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

January 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 31 and 65 and House Joint Resolutions Nos. 1, 2 and 4.

QUILICI, Chairman

January 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 103 and 113.

QUILICI, Chairman

January 16, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

LEE, Chairman

Report adopted.

January 16, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do pass.

LEE, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

KOSENSA, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 11, respectfully report as follows: That Senate Bill No. 11 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 15,



respectfully report as follows: That Senate Bill No. 15 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 13, respectfully report as follows: That Senate Bill No. 13 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 be amended in Section 3, page 10, line 25, after the word "accesses," by striking the following material: "[land for parks,]", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do pass.

STAIGMILLER, Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

January 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 14, introduced by Moore and Lynch

Senate Bill No. 21, introduced by Moore and Lynch

Senate Bill No. 36, introduced by Turnage and James

Senate Bill No. 42, introduced by James

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Brand moved that House Bill No. 69 be taken from Printing and be referred to Committee on State Administration.

Motion carried.

Olson moved that the House recess for ten minutes after being in session for two hours.

Motion carried.

Burnett moved that House Bill No. 15 be taken from Third Reading and be referred back to Committee on Taxation.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 5, introduced by Stoltz, Gunderson, Manuel, Johnston, Kendall, Lien, Stephens, Hageman, Baeth, Fleming, Fasbender, Bardanouve: A Resolution of the House of Representatives of the State of Montana directing the President of the United States to reinstate the Rural Electrification Act two percent (2%) interest direct loan program. Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 13, introduced by H. Harper, Fagg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the appointment of a legislative subcommittee to study the financial feasibility and the recreational possibilities in the State of Montana for the creation of additional state recreation and wilderness areas and the creation of a new policy to acquire and develop Montana lands for recreational and wilderness purposes. Referred to Committee on Fish and Game.

House Joint Resolution No. 14, introduced by Turman, Ainsworth, Norman, Baucus, Huennekens, Kosen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council in consultation with the Montana League of Cities and Towns conduct a study of the laws relating to elections for cities and towns and to report its findings and recommendations together with any necessary legislation to the second session of the 43rd Legislative Assembly. Referred to Committee on Local Government.

House Bill No. 160, introduced by Marks, Hubing, Kolstad, Halvorson, Zimmer, Burnett, Johnston, Bell, Gunderson: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M. 1947, to reduce the minimum sentence for a third conviction for driving while under the influence of alcohol or drugs and requiring imposition of sentence." Referred to Committee on Highways and Transportation.

House Bill No. 161, introduced by Schye, Galt: A bill for an act entitled: "An act providing a fifteen percent (15%) commission to Fish and Game license agents; granting the Commission authority to limit the number of license agents in a community; and amending Sections 26-220 and 26-222, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 162, introduced by Swanberg, Towe, Holmes, Tierney, Fagg, McKittrick: A bill for an act entitled: "An act to be known as The Montana Environmental Protection Act; providing for legal actions in environmental problems; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 163, introduced by Greely: A bill for an act entitled: "An act to amend Section 95-1005, R.C.M. 1947, to require cities to remunerate appointed counsel necessary in proceedings involving the violation of city ordinances." Referred to Committee on Judiciary.

House Bill No. 164, introduced by McKittrick, Lynch, Swanberg: A bill for an act entitled: "An act to amend Section 16-3203, R.C.M. 1947, to provide four (4) year terms for county auditors under the 1972 Montana Constitution which has no limitation on terms of legislatively created county offices; and to remove the requirement that the auditor be a male person." Referred to Committee on Local Government.

House Bill No. 165, introduced by Greely: A bill for an act entitled: "An act deleting the requirement of being a 'freeholder' or 'taxpaying freeholder'; amending Sections 11-710, 11-714, 11-725, 11-1021, 11-1207, 11-1208, 11-3214, 11-3215, 11-3417, 84-4706, and 84-4710, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 166, introduced by Bardanouve, Fasbender, Baucus: A bill for an act entitled: "An act providing that reclamation costs are not deductible in computation of the net proceeds tax." Referred to Committee on Taxation.

House Bill No. 167, introduced by Regan (by request): A bill for an act entitled: "An act to amend Section 75-7906, R.C.M. 1947, to delete the stated amount of administration funds for the traffic education program." Referred to Committee on Highways and Transportation.

House Bill No. 168, introduced by Edland, Greely, McKittrick: A bill for an act entitled: "An act to amend Sections 45-801 and 45-802, R.C.M. 1947; to delete maximum amount of threshermen's liens upon grain or crops and to provide for arbitration of disputes over rates charged for liens." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 169, introduced by Asbjornson, Barrett, Kosena, Haines, Bardanouve: A bill for an act entitled: "An act to amend Sections 66-3101, 66-3120, 66-3103, 66-3104, 66-3105, 66-3109, 66-3110 and 66-3112, R.C.M. 1947, providing for nursing homes and administrators; defining nursing homes to include extended care facilities and intermediate care facilities, and defining the term inactive nursing home administrator; clarifying who may be appointed to the board; providing for qualification and registration of licenses; providing for inactive nursing home administrators to pay an annual fee of not more than twenty-five dollars (\$25); requiring nursing home administrators and inactive nursing home administrators to complete a continuing education course prior to renewal of registration or license; providing for a penalty of up to five hundred dollars (\$500) fine or imprisonment up to six (6) months or both; and repealing Section 66-3113, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 170, introduced by Baeth, McKittrick (by request), Lombardi, Hodges, Staigmiller, Baucus, East, Ellerd: A bill for an act entitled: "An act to amend Section 87-109, R.C.M. 1947, providing for clarification of the definition of nonprofit organizations eligible to elect to make payments in lieu of contributions; providing for group election by nonprofit organizations; providing for termination of election to make payments in lieu of contributions and providing for appeal rights of nonprofit organizations making payments in lieu of contributions; providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947; and deletion of language no longer applicable." Referred to Committee on Labor and Employment Relations.

House Bill No. 171, introduced by Menahan, Cox, Hubing: A bill for an act entitled: "An act amending Section 75-7013, R.C.M. 1947, to provide school trustees an alternative method to let school bus transportation contracts." Referred to Committee on Education.

House Bill No. 172, introduced by Kimble, Huennekens: A bill for an act entitled: "An act abolishing the mined and reclamation advisory committee." Referred to Committee on Natural Resources.

House Bill No. 137, introduced by Menahan, Lynch, Mehrens, Brand, McKittrick, Quilici: A bill for an act entitled: "An act to amend Section 74-608, R.C.M. 1947; providing for a ceiling of one percent (1%)." Referred to Committee on Business and Industry.

House Bill No. 174, introduced by Smith, Walborn (by request): A bill for an act entitled: "An act to amend Sections 46-801, 46-802, 46-803 and 46-804, R.C.M. 1947, requiring livestock brand inspection before change of ownership or removal from county and providing a lifetime horse transportation permit to owner." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 175, introduced by Brand: A bill for an act entitled: "An act amending Section 94-9838, R.C.M. 1947, to require a hearing on a parole violation." Referred to Committee on Judiciary.

House Bill No. 176, introduced by Brand: A bill for an act entitled: "An act requiring all employers to grant to employees who are elected or appointed to full-time public office leave of absence of not more than one hundred eighty (180) calendar days while engaged in such service; and requiring such employees to return to work, unless physically unable, within thirty (30) days following the completion of such public service or lose their seniority." Referred to Committee on Labor and Employment Relations.

House Bill No. 177, introduced by Laas: A bill for an act entitled: "An act abolishing the Board of Highway Appeals and transferring its functions to the Highway Commission; providing for personnel appeals; and repealing Sections 82A-704 and 82A-705, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 178, introduced by Zimmer, Marks: A bill for an act entitled: "An act amending Section 82-1202.1, R.C.M. 1947, providing for licensing of businesses which manufacture, sell, service and install fire extinguishers, fire alarms and fire extinguisher systems." Referred to Committee on Business and Industry.

House Bill No. 179, introduced by Holmes, Watt, H. Harper, Kimble, Baucus, R. Harper, Colberg, Huennekens, Bennetts, Turman, Murphy, Marbut: A bill for an act entitled: "An act to prohibit promotional and institutional advertising by public utilities and their subsidiaries or spokesmen; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 180, introduced by Edland, Fasbender: A bill for an act entitled: "An act abolishing the State Conservation Commission, formerly the Soil Conservation Committee; and repealing Section 82A-1507, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 181, introduced by Greely: A bill for an act entitled: "An act abolishing the Board of Election Devices and transferring its functions to the office of Secretary of State." Referred to Committee on Judiciary.

House Bill No. 182, introduced by Marbut: A bill for an act entitled: "An act abolishing the Sanitarian Advisory Council." Referred to Committee on Judiciary.



House Bill No. 183, introduced by Marbut: A bill for an act entitled: "An act abolishing the Occupation Health Advisory Committee." Referred to Committee on Judiciary.

House Bill No. 184, introduced by Swanberg: A bill for an act entitled: "An act abolishing the Outfitter's Advisory Council." Referred to Committee on Judiciary.

House Bill No. 185, introduced by Gunderson: A bill for an act entitled: "An act abolishing the Fertilizer Advisory Committee." Referred to Committee on Judiciary.

House Bill No. 186, introduced by Hall: A bill for an act entitled: "An act abolishing the Advisory Council on Communications." Referred to Committee on Judiciary.

House Bill No. 187, introduced by Murphy, Tierney, Edland, Gerke: A bill for an act entitled: "An act to amend Sections 23-3301 and 23-3304, to provide for a direct Presidential Primary Election in Montana." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 14, introduced by Moore, Lynch: A bill for an act entitled: "An act amending Section 23-2701, R.C.M. 1947, qualifications of voter, to comply with Article IV, Section 2 of the 1972 Montana Constitution and federal supreme court decisions by allowing individuals eighteen (18) years of age [and] or older to vote in all elections, amending the residency requirements, and restricting a felon's right to vote only while he is serving a sentence in a state institution; repealing Section 11-716, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 21, introduced by Moore and Lynch: A bill for an act entitled: "An act implementing Article V, Section 14 of the 1972 Montana Constitution by providing for a Districting and Apportionment Commission; and providing for an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 36, introduced by Turnage, James: A bill for an act entitled: "An act to amend Sections 71-1716 and 71-1517, R.C.M. 1947, to include as persons eligible for medical assistance benefits persons who are not eligible for federal programs because of their income and to include medically needy children under twenty-one (21) years, including all children under twenty-one (21) who are in foster care; to provide further the order of priorities of distribution of the funds among those eligible." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 42, introduced by James, Hall, Lowe: A bill for an act entitled: "An act to amend Sections 71-501 and 71-508, R.C.M. 1947, [to allow aid to dependent children for a child up to the age of twenty-two (22) years, providing such child is attending school and] to remove the requirement that counties supplement insufficient state appropriations for aid to dependent children, to make the child of unemployed parents eligible for welfare benefits and to repeal Section 71-508.1, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

(Material in brackets denotes cancelled type.)

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 68 be amended on page 1, line 5, in the title of the original bill, being page 1, line 8, in the title of the printed bill by striking, following the word "to", the word [promote]",

And further amend the title on page 1, line 5 of the original bill, being page 1, line 8 of the printed bill by inserting, following the word "maintain", the word "licensed",

And further amend Section 1, line 20 of the original bill, being Section 1, line 23 of the printed bill, by striking, following the word and punctuation "establishment," the word "[promotion]",

And, as amended, do pass (55-37).

That Senate Joint Resolution No. 4 be concurred in (88-0).

That House Bill No. 6 do pass (87-0).

That House Bill No. 24 do pass (85-4).

That House Bill No. 83 do pass (80-7).

That House Bill No. 84 do pass (74-9).

That House Bill No. 85 do pass (73-12).

That House Bill No. 102 do pass (80-9).

That House Bill No. 111 do not pass (59-31).

That the Committee rise and report.

LYNCH, Chairman

Report adopted.

## HOUSE RESOLUTION NO. 2

Introduced by Murphy and Laas.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING ITS SYMPATHIES AND CONDOLENCES TO THE FAMILY OF STANFORD "BAY" SKELTON.

WHEREAS, Stanford "Bay" Skelton lived an interesting and varied life as the son of one of the first pioneer families of Judith Basin County, and

WHEREAS, Stanford "Bay" Skelton embodied the Western spirit, and

WHEREAS, his roles as a rodeo participant and actor were instrumental in propagating the Western heritage, and

WHEREAS, his passing is a loss to all the people of the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the State of Montana expresses its sympathies and condolences to the family of Stanford "Bay" Skelton.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Kessner, Lockrem, Mehrens, Menahan. Total 4.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Shelden, Ulmer. Total 3.

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Bennetts, Brown, Clemow, Cox, Forsgren, Galt, Greely, Holtz, Jacobsen, Jones, Lien, Lundgren, Mercer, Olson, Rolfe, Seifert, Smith, Walborn. Total 18.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Burnett, East, Lockrem, Ulmer. Total 5.

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Burnett, Holmes, Ulmer. Total 4.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 41 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Watt, Yardley, Zimmer. Total 89.

Noes: None.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Kvaalen, Nichols, Selstad, Ulmer, Warfield, Mr. Speaker. Total 7.

House Bill No. 61 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Burnett, East, Galt, Holtz, Hubing, Marks, Rolfe, Schye, Selstad, Emith, Walborn. Total 11.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Nichols, Ulmer. Total 3.

House Bill No. 70 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Hubing. Total 1.

Excused: Gunderson, Kosena, Lund and Prevost. Total 4.

Absent or not voting: Baucus, Bennetts, Lockrem, Ulmer. Total 4.

House Bill No. 72 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow,



Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Bell, Ulmer. Total 3.

House Bill No. 75 passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Hageman, Hager, Hall, Halvorson, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kimble, Laas, Lien, Lundgren, Manuel, Menahan, Mercer, Olson, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 58.

Noes: Ainsworth, Bell, Campbell, Castles, Cotton, East, Ellerd, Fleming, Flynn, Galt, Haines, H. Harper, R. Harper, Healy, Hubing, Johnston, Kessner, Kolstad, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Marbut, Marks, Mehrens, Murphy, Nichols, Norman, Quilici, Roberts, Swanberg, Turner, Yardley. Total 36.

Excused: Gunderson, Kosena, Lund and Prevost. Total 4.

Absent or not voting: Baucus, Ulmer. Total 2.

## REPORTS OF STANDING COMMITTEES

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 be amended on page 4, Section 1, Subsection (f)(5), line 15 through and including line 19, by striking all the material contained therein and inserting in lieu thereof the following new material "(g) No motor vehicle policy shall be subject to cancellation, termination, or premium increase, due to injury or damage incurred by the insured or operator unless the insured or operator be found to have violated a traffic law or ordinance of the state or a city, be found negligent of contributorily negligent in a court of law, or by the arbitration proceedings contained in Chapter 201 of Title 93, R.C.M. 1947, or pays damages to another party whether by settlement or otherwise.", and

Further amend on page 4, Section 1, Subsection (g), line 20, before the word "any" by striking the "[g)]" and inserting in lieu thereof "(h)", and

Further amend on page 5, Section 1, Subsection (h), line 4, before the word "any" by striking the "[h)]" and inserting in lieu thereof "(i)", and

Further amend on page 5, Section 1, Subsection (i), line 9, before the word "any" by striking the "[i)]" and inserting in lieu thereof "(j)", and

Further amend on page 5, Section 1, Subsection (j), line 12, before the word "the" by striking the "[j)]" and inserting in lieu thereof "(k)", and

Further amend on page 5, Section 1, Subsection (k), line 16, before the word "any" by striking the "[k]" and inserting in lieu thereof "(l)", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 be amended on page 2, Section 1, after line 5, by adding a new subsection (5) to read as follows: "National advertising" means any advertising run simultaneously in five or more states and over which a local advertiser has no control.", and

Further amend on page 3, Section 4, after line 8, by adding a new subsection (3) to read as follows "National advertising shall be exempt from this act.", and

Further amend on page 3, Section 5, line 19, after the word "least" by striking the following material "[three (3)]" and inserting in lieu thereof the following new material "twenty (20)", and

Further amend on page 4, Section 7, line 12, after the word "and" by striking the word "[tenants]" and inserting in lieu thereof the word "tenements", and

Further amend on page 5, Section 8, starting with line 6, through and including line 19 on page 6, by striking in its entirety all the material contained therein, and

Further amend on page 6, Section 9, line 20, after the word "section" by striking the figure "[9]" and inserting in lieu thereof the figure "8", and

Further amend on page 7, Section 10, line 9, after the word "section" by striking the figure "[10]" and inserting in lieu thereof the figure "9", and

Further amend on page 8, Section 11, line 13, after the word "section" by striking the figure "[11]" and inserting in lieu thereof the figure "10", and

Further amend on page 9, Section 12, line 5, after the word "section" by striking the figure "[12]" and inserting in lieu thereof the figure "11", and

Further amend on page 9, Section 13, line 10, after the word "section" by striking the figure "[13]" and inserting in lieu thereof the figure "12", and

Further amend on page 10, Section 14, line 7, after the word "section" by striking the figure "[14]" and inserting in lieu thereof the figure "13", and

Further amend on page 11, Section 15, line 7, after the word "section" by striking the figure "[15]" and inserting in lieu thereof the figure "14", and

Further amend on page 11, Section 16, line 12, after the word "section" by striking the figure "[16]" and inserting in lieu thereof the figure "15", and

Further amend on page 11, Section 16, line 15, after the word "attorney"

by striking the following material "[with prior approval of the attorney general]", and

Further amend on page 11, Section 16, line 19, after the word "shall" by striking the following material "[make a full report thereoneto]" and inserting in lieu thereof the word "notify", and

Further amend on page 11, Section 16, line 20, after the word "general" by striking the following material "[, including the final disposition of the matter within thirty (30) days.]", and inserting in lieu thereof the following new material "as the nature of the action and the parties to the action within thirty (30) days of the filing of the action. The county attorney shall make a report thereon to the attorney general within thirty (30) days of the final disposition of the matter.",

Further amend on page 11, Section 17, line 22, after the word "section" by striking the figure "[17]" and inserting in lieu thereof the figure "16", and

Further amend on page 12, Section 18, line 2, after the word "section" by striking the figure "[18]" and inserting in lieu thereof the figure "17", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Asbjornson, Barrett, Lockrem, Mercer, Tierney. Total 5.

Excused: Gunderson, Kosena, Lund, Prevost. Total 4.

Absent or not voting: Baucus, Brown, Burnett, Ellerd, Fagg, Galt, Jones, Kolstad, Lucas, Lundgren, Roberts, Selstad, Ulmer, Zimmer. Total 14.

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

MEHRENS, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 be amended on page 1, Section 1, line 21, after the word "articles" by inserting the words "for display purposes", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., January 18, 1973.

Motion carried.

House adjourned.

HARELD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## SIXTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 18, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Menahan and Bennetts, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 15th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 18, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills No. 18, 29, 80, 82, 89, 94, 99, 101, 105, 116 and House Joint Resolution No. 6.

QUILICI, Chairman

January 18, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 68.

QUILICI, Chairman

January 18, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the



following bills considered correctly engrossed: House Bills No. 6, 24, 52, 83, 84, 85, 102.

QUILICI, Chairman

January 18, 1973

Mr. Speaker: We, your Committee on Legislative Administration report the following staff changes:

Pages terminated as of January 13, 1973:

Kristie Bowman  
Debbie Horner  
Honey Richardson  
Mark Overton

Pages terminated as of January 17, 1973:

Vickie Bredstrand  
Dan Hogan  
Colleen Sanders  
Loren Willis

New pages as of January 15, 1973:

Meri Berberet, Toston  
Debbie Hodges, Great Falls  
Neal Rigg, Rudyard  
Rhonda Siring, Livingston

New pages as of January 18, 1973:

Michelle DeShazer, Libby  
John Seibert, Columbus  
Mike Becker, Billings  
Margaret Rehbein, Helena

EDLAND, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do not pass.

MEHRENS, Chairman

As a substitute motion, Marbut moved that House Bill No. 76, be rereferred to Committee on Rules.

Motion carried.

January 18, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19, do pass.

GUNDERSON, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114, do pass.

GUNDERSON, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142, do pass.

GUNDERSON, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the amendment to Joint Rules 6-7, respectfully report as follows: That Joint Rule 6-7 be amended as follows:

After the word and punctuation "session." the following matter be inserted:

"A request to the Legislative Services Division for a bill to be drafted for introduction received by the Legislative Services Division on or before 5:00 p.m. on the 18th legislative day shall be considered as eligible for introduction; in the event such request shall not be accompanied by a draft of the proposed bill substantially in completed form for introduction such request shall not constitute eligibility for introduction unless approval has been first obtained from the committee on rules of the house concerned.

Any request for a bill to be drafted for introduction submitted to the Legislative Services Division subsequent to the 16th day and on or before 5:00 p.m. of the 18th Legislative Day shall be treated in the same manner as a prefiled bill and the sponsors' name shall be typed thereon, and when the bill is ready for filing with the secretary of the senate or the chief clerk of the house, the same shall be forwarded by the Legislative Services Division directly to such officer and be introduced."

And, as amended, be adopted.

FASBENDER, Chairman

Report adopted.

January 17, 1973

Mr. Speaker: We, your Committee on Labor and Employment relations, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 be amended on page 1, section 1, line 7, in the title, after the word "on" by deleting the words "[their last month's salary]" and inserting in lieu thereof the following material "one half the base salary, not including overtime, they were receiving as active officers computed on the highest salary received in any one month during the last year of active service;"; and

be further amended on page 1, section 1, lines 20, 21, 22, and 23 after the word "to" by deleting the words and figures and punctuation "[one half (½) six (6) times the salary he was receiving during the year last month prior to the time he passed to the police reserve list,]", and inserting in lieu thereof the following material "one half the base salary, not including overtime, he was receiving as an active officer computed on the highest salary received in any one month during the last year of active service;"; and

be further amended on page 2, section 1, subsection 2, lines 10, 11, and 12, by deleting the following words and numbers "[one half (½) six (6) times the salary such the policeman or officer was receiving during the year last month]", and inserting in lieu thereof the following material "one half the base salary, not including overtime, he was receiving as an

active officer computed on the highest salary received in any one month during the last year of active service", and

Be further amended on page 3, section 1, subsection 2, line 11, after the figures "11-1823" by deleting the punctuation "[.]" and inserting in lieu thereof the following letters and punctuation and number " , R.C.M. 1947.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36, be amended on page 5, section 4, line 1, after the word "mill-equivalent" by inserting the word "which," and

be further amended on page 5, section 4, beginning on line 2, by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 5, section 4, beginning on line 16, by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 7, section 5, line 8, after the word "total" by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 7, section 5, line 20, after the word "February" by striking the figure "15" and inserting in lieu thereof the figure "20", and

be further amended on page 9, section 5, line 6, after the word "state" by striking the words "board of equalization" and inserting in lieu thereof the words "appeals board", and

be further amended on page 9, section 5, line 12, after the word "total" by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 9, section 5, line 17, after the word "total" by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 14, section 7, line 20, after the word "county" by striking the words and figure "twenty five percent (25%)" and inserting in lieu thereof the words and figure "seventy-five percent (75%)", and

be further amended on page 14, section 7, beginning on line 23, by striking the words "Interest realized and penalties and interest collected under the enforcement provisions of this act shall be deposited to the general fund on August 1 of each year and" and inserting in lieu thereof the words "With each of the above transmission of funds shall be included a separate warrant for the interest and penalties realized on these funds. This warrant shall be deposited to the county general fund, and so much of it as is necessary may be used for the administration of this act. ", and

be further amended on page 15, section 7, beginning on line 1, by striking the word "the" and inserting in lieu thereof the word "The", and

be further amended on page 15, section 7, line 18, after the word "total" by striking the word "disposable" and inserting in lieu thereof the word "personal", and

be further amended on page 16, section 10, line 20, after the word and punctuation "act." by inserting the words "Judgments secured under this section shall have priority over all other judgments.", and

be further amended on page 17, section 12, line 24, after the word and punctuation "property." by striking the words "However, non-residents may elect to come under this act by complying with its provisions. If such election is made the county treasurer shall, upon request, refund to the owner of the property the property tax which was paid. However, the refund shall be prorated to cover the same period on which a tax on the total disposable income of the non-resident occupiers was paid, and in such cases the non-resident becomes, in effect, a resident and must pay on all total personal income regardless of its source." and inserting in lieu thereof the words "However, landlords of multiple housing shall, beginning July 1, 1974, require each tenant to fill out in duplicate and sign a short form stating that he is or is not a resident of Montana as determined by whether or not he files a state income tax report and pays such state income tax as is due and pays the property replacement tax as required of Montana residents by this act. The landlord shall then add ten percent (10%) to the rent of nonresident tenants for quarterly transmission to the county treasurer, which shall be in lieu of the property replacement tax which they do not pay, and he shall also transmit to the county treasurer one copy of each tenant form, both resident and non-resident, and shall retain the duplicate for his files.", and

be further amended on page 18, section 12, line 8, after the word and punctuation "source." by inserting the following words "Section 13. On or before December 10, 1974 landlords shall furnish to all renters an exact reproduction of his property tax statement which was due on or before November 30, 1974 on the property in which the tenant resides. This statement will show that no further taxes will be paid by the landlord on this property. The landlord shall at the same time furnish the tenant a statement showing the amount of reduction in his regular rent payments according to the period of usual payment that would result if the total tax savings is passed on to the tenant, and further showing the amount of reduction, if any, in his rent commencing January 1, 1975.", and

be further amended on page 18, beginning on section 13, beginning on line 9, by striking the word and figure "Section 13." and inserting in lieu thereof the following word and figure "Section 14.", and

be further amended on page 19, beginning on section 14, beginning on line 8, by striking the word and figure "Section 14." and inserting in lieu thereof the following word and figure "Section 15.", and

be further amended on page 19, beginning on section 15, beginning on line 19, by striking the word and figure "Section 15." and inserting in lieu thereof the following word and figure "Section 16.", and

As amended, do pass.

WATT, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22, do pass.

WATT, Chairman

Report adopted.



January 18, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 3, respectfully report as follows: That House Resolution No. 3 be adopted.

GREELY, Vice Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130, do pass.

GREELY, Vice Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11, do pass.

LEE, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120, do not pass.

LEE, Chairman

As a substitute motion, Lynch moved that House Bill No. 120 do pass and be placed on Second Reading.

Motion failed.

Therefore, the report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, R. Harper, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker: Total 71.

Noes: Bradley, Brand, Burnett, Colberg, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Kolstad, Laas, Lockrem, Lynch, Manuel, Mehrens, Mercer, Murphy, Quilici, Roberts, Stephens, Tierney, Towe, Watt, Zimmer: Total 25.

Excused: Bennetts, Menahan. Total 2.

Absent or not voting: Clemow, Lundgren. Total 2.

January 18, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do pass.

LEE, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 be amended on page 1, section 1, line 16 by inserting after the words "salary of" the words "sixty percent (60%) of salary received by district judge provided, however, that in no case shall it be less than".

And, as amended, do pass.

HALL, Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

January 17, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution were this day read third time and passed, title and history agreed to, and the said bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 57, introduced by Mathers, et al

Senate Bill No. 79, introduced by McKeon

Senate Joint Resolution No. 5, introduced by Lowe and James

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Kosena moved that House Bill No. 26, be taken from Printing and be assigned to Committee on Local Government.

Motion carried.

Lynch moved that House Bill No. 60 be taken from Printing and re-referred to Committee on Public Health, Welfare and Safety.

Motion carried.

McKittrick, having voted on the prevailing side on killing House Bill No. 111 at previous sitting, moved that the House reconsider its action.

Motion carried.

McKittrick moved that House Bill No. 111 be rereferred to Committee on Business and Industry.

Motion carried.

Fasbender moved that House Bill No. 172 be taken from Committee on Natural Resources and be rereferred to Committee on Judiciary.

Motion carried.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 188, introduced by Tierney, Greely, Gunderson, Towe: A bill for an act entitled: "An act providing for nomination by petition in

first class elementary districts; amending Section 75-5915, R.C.M. 1947; and repealing Section 75-5914, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 189, introduced by R. Harper, Gunderson: A bill for an act entitled: "An act amending Section 16-4416, R.C.M. 1947, by deleting the limitation of seven dollars (\$7) per unit user per year." Referred to Committee on Local Government.

House Bill No. 190, introduced by Gunderson, Kimble, R. Harper, Tierney, Bennetts, Cox, Lee, Hodges, Haines, Swanberg, Murphy, Staig-miller, McKittrick, Turman, Marbut, Lynch, H. Harper, Towe, Fاسبender, Holmes, Greely: A bill for an act entitled: "An act to amend Section 75-7103, R.C.M. 1947, to permit issuance of school bonds for vocation-technical centers." Referred to Committee on Education.

House Bill No. 191, introduced by Gunderson, Kimble, R. Harper, Tierney, Bennetts, Cox, Lee, Hodges, Lynch, Staig-miller, McKittrick, H. Harper, Murphy, Haines, Turman, Swanberg, Marbut, Towe, Fاسبender, Holmes, Greely: A bill for an act entitled: "An act to amend Section 75-7709, R.C.M. 1947, providing for an alternative source for funding construction of vocational-technical centers." Referred to Committee on Education.

House Bill No. 192, introduced by Brand, Castles: A bill for an act entitled: "An act to provide for a tax exemption on real property belonging to disabled veterans and their spouses; amending Sections 84-202 and 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 193, introduced by Fagg, Kosena, Castles: A bill for an act entitled: "An act authorizing self-liquidation of costs of urban renewal projects; and amending Section 11-3910, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 194, introduced by Brand, Lundgren, Yardley: A bill for an act entitled: "An act relating to railroad equipment; establishing minimum safety, sanitation, health, and comfort requirements for railroad cabooses." Referred to Committee on Business and Industry.

House Bill No. 195, introduced by Marks: A bill for an act entitled: "An act amending Section 75-6323, R.C.M. 1947, providing that the State Examiner be the sole auditor of extracurricular funds of a school district." Referred to Committee on Education.

House Bill No. 196, introduced by Turman, Murphy, Ainsworth, Kendall, Roberts: A bill for an act entitled: "An act permitting the Board of County Commissioners to hire administrative assistants and set their duties and salary; and amending Section 16-2409, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 197, introduced by Stoltz, Holmes, Marks: A bill for an act entitled: "An act to amend Section 75-6917, R.C.M. 1947, to make provisions for the return of overpayments of state equalization aid made to the school districts." Referred to Committee on Taxation.

House Bill No. 198, introduced by Stoltz, Holmes, Marks: A bill for an act entitled: "An act to amend Sections 75-6917 and 75-6918, R.C.M. 1947, to remove the requirement that the Board of Public Education direct the payments of state equalization aid in the months of December and April and to remove the requirement that the Superintendent of Public Instruction report to the Board of Public Education the amount of state equalization funds in July and December." Referred to Committee on Education.

House Bill No. 199, introduced by Lucas, Cox, Ulmer, East, Yardley, Edland, Lien, Jacobsen, Bardanouve, Brown, Schye, Seifert, Nichols, Roberts: A bill for an act entitled: "An act to permit consolidation of police de-

partments and sheriffs' offices within a county." Referred to Committee on Local Government.

House Bill No. 200, introduced by Norman, Kimble, Ainsworth: A bill for an act entitled: "An act to regulate and license clinical laboratory facilities and personnel." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 201, introduced by Rolfe, Bradley, Mercer: A bill for an act entitled: "An act to amend Section 40-4407, R.C.M. 1947, pertinent to cancellation of motor vehicle insurance policies." Referred to Committee on Judiciary.

House Bill No. 202, introduced by Towe, Fagg, Huennekens, Bennetts, Tierney, Marbut, East, Holmes, Haines, Turman, Colberg, Hodges, Ainsworth, H. Harper, Bradley, Kimble, Watt: A bill for an act entitled: "An act providing that support of family planning shall be an affirmative policy of the state; providing for procedures, supplies and information with respect thereto; providing for administration of the act; and repealing Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 203, introduced by Towe, Fagg, Huennekens, Bennetts, Tierney, Turman, East, Holmes, Kimble, Ainsworth, Marbut, Hodges, Bradley, H. Harper, Watt: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) from the general fund to the Department of Health and Environmental sciences for matching funds of the federal government under Title 4-A to provide additional family planning program money." Referred to Committee on Finance and Claims.

House Bill No. 204, introduced by McKittrick, R. Harper, Swanberg: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to extend the length of study for the two thousand (2,000) hour cosmetology course from not more than twelve (12) months to not more than fourteen (14) months; adding an age requirement; and changing the fee charged for temporary license." Referred to Committee on Business and Industry.

House Bill No. 205, introduced by Johnston, Stephens, Tierney, Zimmer, Driscoll, Murphy, Burnett, Colberg, Huennekens, Hodges, Flynn, Kimble, R. Harper: A bill for an act entitled: "An act to provide for the conservation, management, enhancement and protection of nongame fish and wildlife and species threatened with extinction; and to provide enforcement authority and penalties for violations." Referred to Committee on Fish and Game.

House Bill No. 206, introduced by Johnston, Stephens, Tierney, Zimmer, Driscoll, Murphy, Colberg, Huennekens, Hodges, Kimble, Flynn, R. Harper: A bill for an act entitled: "An act to amend Sections 26-201, 26-202.1 and 26-202.2, R.C.M. 1947, by eliminating bison or buffalo as a big game animal. Referred to Committee on Fish and Game.

House Bill No. 207, introduced by R. Harper, Tierney, Towe, Holmes, Gunderson, Huennekens, Murphy, McKittrick, Johnston, Stephens, Driscoll, Regan, Greely, Bennetts, Staigmler, Stoltz, Norman, Baucus, Roberts, Marbut: A bill for an act entitled: "An act to regulate the intrastate distribution and sale of hazardous substances intended or suitable for use by the general public; to investigate and evaluate general use hazardous substances and resulting accidents as they relate to public health; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 208, introduced by Lynch, Quilici, Lundgren, Turman, Driscoll: A bill for an act entitled: "An act amending Section 31-138, R.C.M. 1947, to provide for a duplicate driver's license for a one dollar (\$1) fee for those so requesting." Referred to Committee on Highways and Transportation.



House Bill No. 209, introduced by Forsgren, Stoltz: A bill for an act entitled: "An act to amend Section 8-101, R.C.M. 1947, to provide that the language of the exclusion of school buses will be compatible to the Interstate Commerce Commission ruling." Referred to Committee on Highways and Transportation.

House Bill No. 210, introduced by Lynch, Cotton, Fagg, Warfield, Lee: A bill for an act entitled: "An act to amend Sections 32-21-155.1 and 75-7002, R.C.M. 1947, to require the semiannual inspection of school buses in compliance with Standard No. 17 of the Highway Safety Program issued by the United States Department of Transportation." Referred to Committee on Highways and Transportation.

House Bill No. 211, introduced by Towe, McKittrick, Greely, Baucus, Hall, Tierney, Turman, Bell, Gunderson, Lucas, Swanberg: A bill for an act entitled: "An act amending Section 10-622, R.C.M. 1947, providing an increase in the maximum salary for juvenile probation officers from ten thousand two hundred dollars (\$10,200) to thirteen thousand dollars (\$13,000)." Referred to Committee on Judiciary.

House Bill No. 212, introduced by Haines: A bill for an act entitled: "An act to include health service corporations in the Montana Insurance Code for tax purposes by repealing Section 40-2611, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 213, introduced by Turman, R. Harper: A bill for an act entitled: "An act permitting counties to increase expenditures for the purpose of maintaining county parks; amending Section 62-102, R.C.M. 1947; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 214, introduced by R. Harper, Kendall, Murphy, Fasbender, Halvorson, Kimble, Quilici, Brand, Shelden, Manuel, Stoltz, Edland, Colberg, Roberts, Norman, McKittrick, Baeth, Healy, Mehrens, Baucus, Hodges, Menahan, Gunderson, H. Harper, Lynch, Turner, Bennetts, Gerke, Staigmiller, Holmes, Greely, Tierney, Watt, Kosena, Marbut, Bradley, Regan, Lombardi, Yardley, Swanberg, Towe, Fleming, Cotton: A bill for an act entitled: "An act to amend Section 87-103, R.C.M. 1947, providing for an increase in the maximum weekly benefit amount; providing a new formula for determining the qualifying base period wage; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 215, introduced by Kolstad, Aageson, Barrett, Holtz, Lien, R. Harper, Lynch, Swanberg, Staigmiller, Hodges, Laas, Jones, Gunderson: A bill for an act entitled: "An act amending Section 82-1515, R.C.M. 1947, to provide that the Board of Hail Insurance appoint a sufficient number of appraisers each year to appraise the hail losses in the various counties." Referred to Committee on Agriculture.

House Bill No. 216, introduced by Aageson, Kolstad, Barrett, Holtz, Lynch, R. Harper, Tierney, Laas, Gunderson, Prevost: A bill for an act entitled: "An act to amend Section 84-1511, R.C.M. 1947, eliminating the transfer from the Board of Hail Insurance Agency account to the general fund two percent (2%) of the gross annual levy." Referred to Committee on Agriculture.

House Bill No. 217, introduced by Lund, Kosena: A bill for an act entitled: "An act to add a new section in Title 69, Chapter 48, R.C.M. 1947; providing for general and special authorization of powers in the Department of Health and Environmental Sciences relating to acquisition of information and enforcement remedies for the purpose of complying with the requirements for states under the Federal Water Pollution Control Act Amendments of 1972; and amending Section 69-4802, R.C.M. 1947, by

providing additional definitions." Referred to Committee on Natural Resources.

House Bill 218, introduced by Burnett, Hageman: A bill for an act entitled: "An act to amend Section 89-1706, R.C.M. 1947, to limit to a period of eight (8) years after maturity of the obligation the lien on lands in an irrigation district created by the obligation." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill 219, introduced by Haines: A bill for an act entitled: "An act to amend Section 93-2624, R.C.M. 1947, to provide a limitation during which actions for professional negligence can be commenced against nursing home administrators and long-term care facilities." Referred to Committee on Judiciary.

House Bill 220, introduced by Cotton, Lucas, Forsgren, Cox, Gunderson, Haines, Yardley, Prevost, Warfield: A bill for an act entitled: "An act to amend Section 75-6204, R.C.M. 1947, to increase pay to members of the Teachers' Retirement Board and remove restrictions on maximum per diem pay; amending Section 75-6206 and 75-6207, R.C.M. 1947, to change certain methods of funding and disbursing from the various teachers' retirement system funds; amending Sections 75-6208, R.C.M. 1947, to provide additions and changes in various benefits to members of the Teachers' Retirement System; amending Section 75-6212, R.C.M. 1947, to allow for service credits for employment while a teacher is on leave; amending Section 75-6213, R.C.M. 1947, to define basis of cost for out-of-state service credit; changing credit for out-of-state teaching and prior military service and decreasing membership requirements of the Teachers' Retirement System; adding a new section to be numbered 75-6219 providing for a tax deferred annuity program sponsored by the Teachers' Retirement System." Referred to Committee on Labor and Employment Relations.

House Bill 221, introduced by Mehrens, Lee, Quilici, Menahan, Healy, Lynch, Lombardi, Robert, R. Harper, Driscoll: A bill for an act entitled: "An act amending Section 84-4910, R.C.M. 1947, to increase the allowance for personal exemption from income taxation." Referred to Committee on Taxation.

House Bill No. 222, introduced by Warfield, Gunderson: A bill for an act entitled: "An act related to the school transportation reimbursement rate schedules; providing an increase of the bus per mile reimbursement schedules; and amending Section 75-7018, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 223, introduced by Warfield, Gunderson: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M. 1947, relating to the procedure for determining the maximum reimbursement for individual transportation and relating to the rates of such reimbursement." Referred to Committee on Education.

House Bill No. 224, introduced by Hall: A bill for an act entitled: "An act governing the disposition of community property rights at death, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 225, introduced by Hall: A bill for an act entitled: "An act to provide for meeting of standing and special committees of either House of the State Legislative Assembly of the State of Montana during the interim between regular sessions thereof; to provide for compensation and expenses for the members thereof while such committees are in session, and to provide for the powers thereof; and to provide an effective date." Referred to Committee on Rules.

House Bill No. 226, introduced by Hall: A bill for an act entitled: "An act to amend Section 94-9825, R.C.M. 1947, to provide for minimum salaries for parole officers employed by the State Board of Pardons of the State of Montana." Referred to Committee on Judiciary.

House Bill No. 227, introduced by Hall: A bill for an act entitled: "An act defining the crime of misappropriation of construction funds; providing penalties for persons receiving money for construction of improvements upon real property and who fail to complete said improvements, who fail to pay for services, labor, materials or equipment incident to such construction or who divert funds; and providing for prima facie evidence of violation of the act." Referred to Committee on Judiciary.

House Bill No. 228, introduced by Hall: A bill for an act entitled: "An act providing for estate tax apportionment to be known as the estate tax apportionment act." Referred to Committee on Judiciary.

House Bill No. 229, introduced by Cotton, Lynch, Kendall, Holmes: A bill for an act entitled: "An act to amend Section 32-21-149, R.C.M. 1947, to allow school buses to use studded tires for the entire length of the school year." Referred to Committee on Highways and Transportation.

House Bill No. 230, introduced by Cotton, Lynch, Holmes: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M. 1947, to clarify the intent of the law which stipulates the distance that a family must reside from a school bus stop in order to be entitled to individual transportation." Referred to Committee on Education.

Senate Joint Resolution No. 5, introduced by Lowe, James: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the United States Department of Agriculture to treat Montana's winter allowance as an income disregard rather than an addition to income. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 57, introduced by Mathers, Graham, Moore, McDonald: A bill for an act entitled: "An act amending Section 81-433, R.C.M. 1947, providing for an increase in the grazing fee." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 79, introduced by McKeon: A bill for an act entitled: "An act amending Section 94-4203, R.C.M. 1947, relating to punishment for escapes from state prison by defining the term 'confined in state prison.'" Referred to Committee on Judiciary.

## SECOND READING OF BILLS COMMITTEE OF THE WHOLE

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of Business on Second Reading.

Motion carried.

Tierney in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 11 be concurred in. (94-0)

That Senate Bill No. 13 be concurred in. (92-0)

That Senate Bill No. 15 be concurred in. (84-9)

That Senate Bill No. 20 be concurred in. (94-2)

That House Bill No. 103 do pass. (93-1)

That House Bill No. 113 do pass. (93-0)

That the Committee rise and report.

TIERNEY, Chairman

Report adopted.



## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 31 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 94.

Noes: Hall, Yardley. Total 2.

Absent or not voting: Edland, Jacobsen. Total 2.

Excused: Bennetts, Menahan. Total 2.

House Bill No. 65 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Rolfe, Warfield. Total 2.

Absent or not voting: None.

Excused: Bennetts, Menahan. Total 2.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Rolfe. Total 1.

Absent or not voting: Burnett, Galt. Total 2.

Excused: Bennetts, Menahan. Total 2.



House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Bell, Brown, East, Ellerd, Fagg, H. Harper, R. Harper, Hubing, Jones, Kvaalen, Lockrem, McKittrick, Selstad, Swanberg, Watt. Total 15.

Absent or not voting: Burnett, Galt, Kessner, Schepens, Schye. Total 5.

Excused: Bennetts, Menahan. Total 2.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Mercer, Murphy, Norman, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Bell, Brand, Campbell, East, Galt, Hubing, Kessner, Kvaalen, Lucas, Lundgren, Marks, Olson, Prevost, Quilici, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn, Zimmer. Total 23.

Paired: Bennetts-Aye; Hall-No; Menahan-Aye; Lien-No.

Absent or not voting: Burnett, Driscoll, Nichols, Schye. Total 4.

Senate Joint Resolution No. 4 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Burnett, Schye. Total 2.

Excused: Bennetts, Menahan. Total 2.

Fasbender moved that the House adjourn until 1:30 p.m., January 19, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SEVENTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 19, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Kolstad, Nichols, Lundgren, Ainsworth, Kvaalen, Barrett, Holtz, Johnston, Lucas, Bennetts, Menahan, Cox, Edland, Jacobsen, Lien, Schepens, and Kessner, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 22, 114, 130, 140 and 142, House Resolution No. 3 and House Joint Resolution No. 11.

FLEMING, Vice-Chairman

January 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 103 and 113.

FLEMING, Vice-Chairman

January 17, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

FLEMING, Vice-Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do pass.

HALL, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 be amended on page 1, line 4, key line, by deleting the comma and figures "[, 43-503]", and

Be further amended on page 1, line 9, title, by deleting the word "[Sections]" and inserting in lieu thereof the word "Section" and,

Be further amended on page 1, line 9, title, by deleting the word and figures "[and 43-503]", and

Be further amended on page 2, Section 1, lines 6 through 11, by deleting Subsection (3) in its entirety and inserting in lieu thereof the following, all being underlined material:

"(3) The governor may return any bill to the originating house with his recommendations for amendment. Such house shall reconsider the bill under its rules relating to amendment offered in Committee of the Whole. The bill is then subject to the following procedures:

"(a) The originating house shall transmit to the second house, for consideration under its rules relating to amendments in Committee of the Whole, the bill and the originating house's approval or disapproval of the governor's recommendations.

"(b) If both houses approve the governor's recommendations the bill shall be returned to the governor for his reconsideration.

"(c) If both houses disapprove the governor's recommendations the bill shall be returned to the governor for his reconsideration.

"(d) If one house disapproves the governor's recommendations and the other house approves, then either house may request a conference committee which may be a free conference committee.

"(i) If both houses adopt a conference committee report, the bill in accordance with the report shall be returned to the governor for his reconsideration.

"(ii) If a conference committee fails to reach agreement or if its report is not adopted by both houses the governor's recommendations shall be considered not approved and the bill shall be returned to the governor for further consideration.

"(e) The governor may not return the bill for amendment a second time.", and,

Be further amended on pages 2 and 3, Section 2, by deleting Section 2 in its entirety.

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 19, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 do pass.

HALL, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

Amend on page 2, Section 1, line 17, following the word "affected." Insert two new Sections to read as follows:

"Section 2. Section 16.2501.1. Initiation of consolidation by county commissioners—Procedures. The board or boards of county commissioners may initiate the consolidation of county offices under the procedure set forth in this act. Any board or boards of county commissioners desiring to consolidate any two or more offices or any two or more offices among several counties under the provisions of this Chapter shall first pass a resolution stating the intent of the board or boards of county commissioners to consider consolidation.

"Section 3. Section 16-2502. Examination of petition—petition and consolidation by county commissioners—hearings and notice. Upon the filing of any such petition the board or boards of county commissioners shall cause the county clerk or clerks to forthwith examine the same and the registration records of the county and if, after such examination, such county clerk or clerks shall report to said board or boards of county commissioners that such petition or petitions meet the percentage requirements, as stated in Section 16-2501, of the qualified electors of the county whose names appear on such registration records, said board or boards shall set a date for a hearing to consider said consolidation. Upon the passage of the resolution of intent by the board or boards of county commissioners proper notice and a date shall be set for a hearing to consider said consolidation. The date for the hearing shall be not more than twenty days after the filing of such petition or the passage of the resolution of intent. The county clerk or clerks shall cause notice of such hearing to be published one time in the official newspaper of the county, which publication must be at least ten days before the date set for said hearing, and if there be no newspaper of general circulation printed and published in said county, then such notice must be posted by the county clerk or clerks, at least ten days before the date set for such hearing, in three public places in the county or counties. Said notice shall either contain a copy of said petition, with the signatures omitted, or a copy of the resolution of intent passed by the board or boards of county commissioners, and shall state the time and place fixed for hearing the same, and that on such hearing any taxpayer of the county may appear and be heard in support of or in opposition to said petition." and,

Further amend that these two new Sections be placed after Section 1 as "Section 2 and 3" and,

Further amend on page 2, line 18, by changing Section 2 to Section 4.

Further amend on page 2, line 25, by changing Section 3 to Section 5.

Further amend on page 3, line 12; after the word "offices," insert the words "as they shall deem proper."

Further amend on page 3, line 13, by changing "Section 4" now to read "Section 6".

Further amend on page 3, line 23, by changing the word "six" to the word "two."

Further amend on page 4, line 1, by changing "Section 5" to now read "Section 7".

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had



under consideration House Bill No. 136, respectfully report as follows:  
That House Bill No. 136 do pass.

KOSENSA, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 118, respectfully report as follows:  
That House Bill No. 118 be amended as follows:

Amend on page 1, line 6, by deleting the words "[or water]" and,

Further amend on page 1, Section 1, line 17, by deleting the words "[or water]" and,

Further amend on page 1, Section 1, line 19, by deleting "[shall be uniform for like service in all parts of the municipality] in lieu thereof inserting "shall have as nearly as possible equitable in proportion to the services and benefits rendered." and,

Further amend on page 2, Section 1, lines 1 and 2, by deleting the words "[or water]" and,

Further amend on page 2, Section 1, line 24, by deleting the words "[or water]" and,

Further amend on page 3, Section 1, line 6, by deleting the words "[or water]"

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 138, respectfully report as follows:  
That House Bill No. 138 do pass.

KOSENSA, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 139, respectfully report as follows:  
That House Bill No. 139 do pass.

KOSENSA, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 135, respectfully report as follows:  
That House Bill No. 135 do pass.

KOSENSA, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

MEHRENS, Chairman

Bradley moved as a substitute motion that House Bill No. 73 be printed and placed on Second Reading. Bradley requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Colberg, Cotton, Driscoll, Fasbender, Fleming, Greely, Gunderson, Hall, H. Harper, R. Harper, Hodges, Holmes, Huennkens, Kendall, Kimble, Kosena, Lynch, McKittrick, Marbut, Murphy, Norman, Prevost, Regan, Roberts, Shelden, Staigmiller, Stoltz, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 37.

Noes: Aageson, Asbjornson, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, Healy, Hubing, Jones, Laas, Lee, Lockrem, Lombardi, Lund, Manuel, Marks, Mehrens, Mercer, Olson, Quilici, Rolfe Schye, Seifert, Selstad, Smith, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield. Total 45.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: Fagg. Total 1.

Therefore the committee report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, Healy, Hubing, Jones, Laas, Lee, Lockrem, Lombardi, Lund, Manuel, Marks, Mehrens, Mercer, Murphy, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Stephens, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 48.

Noes: Baeth, Bardanouve, Baucus, Bradley, Brand, Colberg, Cotton, Driscoll, Fasbender, Fleming, Greely, Gunderson, Hall, H. Harper, R. Harper, Hodges, Holmes, Huennkens, Kendall, Kimble, Kosena, Lynch, McKittrick, Marbut, Norman, Prevost, Regan, Roberts, Shelden, Staigmiller, Stoltz, Watt, Yardley, Zimmer. Total 34.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: Turman. Total 1.

January 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be amended on page 6, Section 7, Subsection (2), line 9, after the figure "(\$2)" by striking the comma "," and inserting "on passenger cars and trucks under 8001 lbs. GVW," and

Further amend on page 7, Section 9, line 23, before the word "the" by striking the word "[believes]" and inserting in lieu thereof the word "proves", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do pass.

MEHRENS, Chairman

Report adopted.

The Speaker signed in open session Senate Bills Nos. 3, 19 and 34, and Senate Joint Resolution No. 1.

### MESSAGES FROM THE SENATE

January 18, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 46, introduced by Carl

Senate Bill No. 60, introduced by Groff, Manning, et al

Senate Bill No. 68, introduced by Lowe, Bertsche, et al

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 231, introduced by Hageman, Gunderson, Cotton, Jacobsen, Kolstad: A bill for an act entitled: "An act amending Sections 3-233 and 3-2917, R.C.M. 1947, to provide for deposit of fees for testing of grain with the Department of Agriculture." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 232, introduced by Bardanouve, Driscoll: A bill for an act entitled: "An act to amend Sections 69-3504 and 69-3504.1, R.C.M. 1947, to change the administering agency for the registration and licensing of motorboats and vessels from the Board of Equalization to the Registrar of Motor Vehicles and to provide that motorboats and vessels may be registered at the County Treasurer's office." Referred to Committee on Highways and Transportation.

House Bill No. 233, introduced by Bardanouve and Driscoll: A bill for an act entitled: "An act to amend Sections 53-1013, 53-1025 and 53-1026, R.C.M. 1947, to change the administering agency for the registration of snowmobiles from the Board of Equalization to the Registrar of Motor Vehicles and to provide that snowmobiles may be registered and tax-paid decals issued in the County Treasurer's office." Referred to Committee on Highways and Transportation.

House Bill No. 234, introduced by Cox, Forsgren, Cotton, Regan: A bill for an act entitled: "An act to amend Section 75-5934, R.C.M. 1947, relating to the powers and duties of school trustees; and providing dis-

cretionary authority for making certain payroll deductions at the request of an employee." Referred to Committee on Education.

House Bill No. 235, introduced by Barrett, Asbjornson, Olson, Murphy, Schye, Bardanouve, Kosena, Lucas, Haines, Ageson, East, Prevost: A bill for an act entitled: "An act amending Section 16-2803, R.C.M. 1947; providing for common jails among counties with operation and maintenance costs to be prorated among the using counties; eliminating the requirement that there be a jail in each county seat; eliminating statutory limitation of one thousand dollars (\$1,000) which counties may spend on a common jail; and repealing Sections 16-2801 and 16-2802, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 236, introduced by Lucas, Zimmer, Olson, Mehrens, Kosena, Ulmer, Marks: A bill for an act entitled: "An act to be known as 'The Fire Territory Act of 1973' providing procedures for organizing and administering fire protection in unincorporated areas not in a fire district; and amending Sections 11-2023 and 11-1941, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 237, introduced by Colberg, Huennekens, Towe, R. Harper. A bill for an act entitled: "An act to require that any contract, covenant, easement, servitude or other agreement allowing access to ores, metals or minerals for extraction by strip mining or open pit mining shall contain a provision expressly allowing this type of mining." Referred to Committee on Judiciary.

House Bill No. 238, introduced by Colberg, Huennekens, Towe, R. Harper: A bill for an act entitled: "An act amending Section 93-9902, R.C.M. 1947, to declare that the extractions of minerals by strip mining or open pit mining is not a public use; and repealing Section 50-813, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 239, introduced by Colberg, R. Harper, Holmes, Huennekens: A bill for an act entitled: "An act to amend Section 50-1305, R.C.M. 1947, to require the permission of the owner of surface rights before mining or prospecting operations may be commenced." Referred to Committee on Judiciary.

House Bill No. 240, introduced by Seifert, Hodges: A bill for an act entitled: "An act amending Section 32-21-115, R.C.M. 1947, requiring every vehicle upon a state highway and a two(2) lane section of the national system of interstate highways, once they are posted by the Highway Patrol Bureau, to display lighted lamps during all hours of the day and night." Referred to Committee on Highways and Transportation.

House Bill No. 241, introduced by Lien, Jacobsen, Edland, Hageman, Cotton, Bardanouve, Brand, Manuel, Stoltz, Swanberg, Johnston: A bill for an act entitled: "An act transferring the State Board of Hail Insurance from the State Auditor to the Department of Agriculture for administrative purposes only; and repealing Section 82A-2103, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 242, introduced by Huennekens, Fagg, Colberg, Towe, Johnston: A bill for an act entitled: "An act to amend Section 26-507, R.C.M. 1947, prohibiting the resale or commercial use of confiscated fish and game purchasers." Referred to Committee on Fish and Game.

House Bill No. 243, introduced by Bell, Gunderson, Baeth, Ulmer, Marks: A bill for an act entitled: "An act to amend Section 68-501, R.C.M. 1947, to provide that members of the Public Employees' Retirement System who have served in the Armed Forces of the United States or the Department of War or Defense during time of war or other national emergency may receive retirement and death benefits up to a maximum of four (4) years regardless of whether the member was a member prior to service in



the Armed Forces or with the Department of War or Defense." Referred to Committee on Labor and Employment Relations.

House Bill No. 244, introduced by Lynch, Glennen, Quilici, Lee: A bill for an act entitled: "An act to exempt police pension payments payable under Sections 11-1821 and 11-1814, R.C.M. 1947, from taxation, attachment and other legal processes." Referred to Committee on Judiciary.

House Bill No. 245, introduced by Johnston, Stephens, Manuel, Huennekens, Swanberg: A bill for an act entitled: "An act to amend Section 26-202.2, R.C.M. 1947, to provide that any person who has killed or taken a mountain goat shall not be eligible to apply for another license for the next succeeding seven (7) years." Referred to Committee on Fish and Game.

House Bill No. 246, introduced by Brand, Hodges, Staigmler, Cox, Hager, H. Harper: A bill for an act entitled: "An act to establish procedures for the disposition of contributions made to the Fire Department Relief Association funds by unmarried members." Referred to Committee on Local Government.

House Bill No. 247, introduced by Kvaalen: A bill for an act entitled: "An act to amend Section 25-215, R.C.M. 1947, forbidding the hunting of jackrabbits on private land with an artificial light while using a motor vehicle; and allowing jackrabbits to be hunted on private land with an artificial light which is carried if permission of the landowner, lessee, or agent is obtained." Referred to Committee on Fish and Game.

House Bill No. 248, introduced by Burnett, Rolfe, Kolstad, Clemow, Campbell, Schye, Murphy, Greely, Kessner, Manuel: A bill for an act entitled: "An act amending Section 4-402, R.C.M. 1947, defining "board" and "state liquor store"; abolishing state liquor stores; providing for the retail sale of liquor in the original package; regulating the mark-up on liquor sold in the original package by licensees; repealing Sections 4-114, 4-115, 4-116, 4-117, 4-118, 4-119, 4-120, 4-121, 4-152, 4-405 and 4-406, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 249, introduced by Fagg, Healy: A bill for an act entitled: "An act to amend Section 50-704, R.C.M. 1947, to permit assessment work performed at one (1) point within a group of contiguous claims to apply to all contiguous claims." Referred to Committee on Taxation.

House Bill No. 250, introduced by Fagg, Hall, Towe, Tierney, Kolstad, Warfield, Marbut, Bardanoue, Lund, Mercer, Holmes, Fleming, Baeth, Gunderson, Glennen, Cox, Hodges, Lee, Quilici, Norman, Baucus, Ainsworth, Regan, Lombardi, Mehrens, R. Harper, Roberts, Stephens, Brand, Flynn, Kendall, Gerke, Kvaalen, Lockrem, Huennekens, Colberg, Turner, Ellerd, Walborn, Smith, Olson, Barrett, Asbjornson, Galt, Nichols, Lundgren, Brown, Hubing, East, Murphy, Lynch, Stoltz, Staigmler, Zimmer, H. Harper, Schye, Holtz, Ageson, Campbell, Halvorson, Castles, Marks, Edland, Hageman, Forsgren, Haines, Turman, Laas, Healy, Johnston, Selstad, Fasbender, Seifert, Kessner, Manuel, Burnett, Jones: A bill for an act entitled: "An act to be known as the "Uniform Motor Vehicle Accident Reparations Act of 1973"; providing for reparation benefits for persons in motor vehicle accidents with limitations upon the capacity to sue in tort to specified liability instances; providing for a system of security and insurance for reparation benefits and residual tort liability; amending Section 32-1208, R.C.M. 1947; repealing Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 251, introduced by Bradley, Tierney, Hageman: A bill for an act entitled: "An act amending Section 66-802, R.C.M. 1947, to define the practice and teaching of cosmetology." Referred to Committee on Business and Industry.

House Bill No. 252, introduced by Bradley, Tierney, Hageman: A bill for an act entitled: "An act amending Section 66-804, R.C.M. 1947, changing the name of the Montana Examining Board of Cosmetology to Board of Cosmetologists, changing the membership thereof and renumbering the Section as Section 82A-1602.8." Referred to Committee on Business and Industry.

House Bill No. 253, introduced by Quilici, McKittrick, Lee, Lockrem: A bill for an act entitled: "An act providing for waiver of time requirements in filing of claim by Division of Workmen's Compensation if reasonable showing of lack of knowledge of disability is shown by claimant; and amending Section 92-601, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 254, introduced by Watt, Halvorson, Baeth, Tierney, Norman, Swanberg, Turman: A bill for an act entitled: "An act repealing Section 84-1501.8, R.C.M. 1947, to eliminate the six and one-quarter percent (6¼%) corporation license tax rate for taxable years ending after February 28, 1973; and amending Section 84-1501, R.C.M. 1947, to make retroactive and permanent the six and three-quarters percent (6¾%) corporation license tax rate." Referred to Committee on Taxation.

House Bill No. 255, introduced by Fagg and Hager: A bill for an act entitled: "An act authorizing condominiums on land covered by a single lease which will have precedence over construction financing liens and liens securing the purchase price of condominium units; and amending Sections 67-2302, 67-2303, 67-2304, 67-2314, 67-2322, 67-2323, 67-2324, 67-2326, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 256, introduced by Yardley: A bill for an act entitled: "An act establishing the salaries of boards of county commissioners by resolution; setting the mileage allowance at twelve cents (\$.12) per mile; and repealing Section 16-912, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 257, introduced by Yardley: A bill for an act entitled: "An act providing for recall of county commissioners." Referred to Committee on Local Government.

House Bill No. 258, introduced by Yardley: A bill for an act entitled: "An act to add a new Section to the water pollution laws of the state in Chapter 48, Title 69, R.C.M. 1947, providing for determination and collection of civil penalties as an additional remedy; and providing for rebate of a portion of a penalty paid upon terms determined by the court." Referred to Committee on Judiciary.

House Bill No. 259, introduced by Brand and Roberts: A bill for an act entitled: "An act to require all railroad locomotives to be powered by electricity only." Referred to Committee on Business and Industry.

House Bill No. 260, introduced by Cotton: A bill for an act entitled: "An act to amend Sections 75-7004, 75-7005 and 75-7019, R.C.M. 1947, to allow the trustees of a school district and the county transportation committee a degree of latitude in granting increases in individual transportation based on an isolation chart provided by the Superintendent of Public Instruction; and to change the Board of Education to the Board of Public Education." Referred to Committee on Education.

House Bill No. 261, introduced by Marbut, Kosena, Bennetts, Regan, Turman, McKittrick, Towe, Turner, Healy, Lee, Holmes: A bill for an act entitled: "An act providing for infant screening; providing the Department of Health and Environmental Sciences require tests for newborn infants; providing for administration of the act; regulations; requiring the availability of, and if requested, furnishing of assistance and services of the Department of Health and Environmental Sciences and the Boulder

River School and Hospital if tests are reported positive; and repealing Section 69-4116, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 262, introduced by Marbut, Bennetts, Lee, Holmes, Regan, McKittrick, Towe, Turner, Healy: A bill for an act entitled: "An act providing for redefining a premarital standard serological test to include additional tests; and amending Sections 48-134, 48-136 and 48-137, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 263, introduced by Marbut, Bennetts, Regan, Lee, Turman, McKittrick, Towe, Turner, Healy, Holmes: A bill for an act entitled: "An act providing for a standard serological test for women seeking prenatal care; providing for definitions; laboratory testing, certificate form, duties of physicians and other persons required to take samples; disclosure of report, confidentiality of report, report to Department of Health of positive reports of test, use of information by department, when, report of birth to state if test is made; exemption from provisions of act; and repealing Sections 69-4612, 69-4613, 69-4614 and 69-4615, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 16, introduced by Baeth, Johnston, Manuel, Kendall, Fagg, Jones, Clemow, Zimmer, Laas, Fleming, Quilici: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Army Corps of Engineers to give maximum consideration to the maintenance of high-quality recreational opportunities in the development and execution of its operating plan for Lake Koocanusa and that the Corps of Engineers specify exact fluctuation limits and criteria in the operating plan. Referred to Committee on Fish and Game.

Senate Bill No. 46, introduced by Carl: A bill for an act entitled: "An act to amend Sections 82-3314 and 82-3317, R.C.M. 1947, to require the Department of Administration to provide for the independent full-time inspection of Montana's public school and municipal construction projects." Referred to Committee on State Administration.

Senate Bill No. 60, introduced by Groff, Manning, Moritz, Turnage: A bill for an act entitled: "An act to amend Section 89-105, R.C.M. 1947, to require water user approval before capital improvements are made on water projects in cases where construction estimate is five percent (5%) or more above the original estimate." Referred to Committee on Natural Resources.

Senate Bill No. 68, introduced by Lowe, Bertsche, Cochrane, Lynch: A bill for an act entitled: "An act to amend Section 16-1179, R.C.M. 1947, relating to county-owned Civic Center, Youth Center, Recreation Center; and increasing the tax levy." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lombardi in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 18 be passed for the day.

That House Bill No. 80 do pass (79-2).



That House Bill No. 82 do pass (70-8).

That House Bill No. 94 do pass (69-9).

That House Bill No. 99 do pass (79-0).

That House Bill No. 101 do pass as passed by the Committee on State Administration (59-18).

That House Bill No. 105 be passed for the day.

That the Committee rise and report.

LOMBARDI, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 6 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: None.

House Bill No. 24 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Brand, Clemow, Cotton, Lee, Prevost, Smith, Walborn, Zimmer. Total 8.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: None.

House Bill No. 52 was passed by the following vote:

Ayes: Baeth, Baucus, Bell, Bradley, Brand, Campbell, Colberg, Cotton,



Driscoll, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Shelden, Staigmler, Stephens, Stoltz, Tierney, Towe, Turman, Warfield, Watt, Yardley. Total 54.

Noes: Aageson, Asbjornson, Brown, Castles, Clemow, East, Ellerd, Fagg, Galt, Hager, Holtz, Hubing, Jones, Laas, Manuel, Marks, Murphy, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Walborn, Zimmer. Total 27.

Paired: Holtz, nay; Tierney, aye.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 16.

Absent or not voting: Bardanouve, Burnett, Mr. Speaker. Total 3.

House Bill No. 68 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Brown, Castles, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmler, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Asbjornson, Bell, Brand, Burnett, Campbell, Clemow, East, Ellerd, Galt, Glennen, Hager, Haines, Hubing, Jones, Kosena, Lockrem, Manuel, Marks, Mercer, Olson, Prevost, Schye, Seifert, Selstad, Smith, Stephens, Turner, Ulmer, Walborn. Total 31.

Paired: Lundgren, aye; Rolfe, no.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Menahan, Nichols, Schepens. Total 16.

Absent or not voting: Zimmer, H. Harper. Total 2.

House Bill No. 84 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Bell, Bradley, Brand, Brown, Hall, Campbell, Castles, Clemow, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Baucus, Burnett, Colberg, East, Ellerd, H. Harper, Hubing, Norman, Roberts, Walborn. Total 10.

Absent or not voting: None.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

House Bill No. 85 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Campbell, Castles, Cotton, Driscoll, Fagg, Fasbender, Fleming,

Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Jones, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, McKittrick, Mehrens, Mercer, Murphy, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 61.

Noes: Brand, Burnett, Colberg, East, Ellerd, Galt, H. Harper, Hubing, Huennekens, Marbut, Norman, Olson, Selstad, Walborn. Total 14.

Absent or not voting: Clemow, Flynn, Kendall, Manuel, Marks, Schye, Smith, Mr. Speaker. Total 8.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

House Bill No. 102 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Driscoll, East, Ellerd, Fagg, Fasbender, Ulmer, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Lund, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Colberg, Tierney. Total 2.

Absent or not voting: Cotton, Lockrem. Total 2.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 11 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: None.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: Lockrem, Stoltz. Total 2.

Senate Bill No. 13 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley,

Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: None.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: Hall, Kimble, Lockrem, Stoltz. Total 4.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Burnett, Galt, Schye, Seifert, Smith, Walborn. Total 6.

Absent or not voting: Lockrem. Total 1.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 77.

Noes: Gunderson, Rolfe. Total 2.

Excused: Ainsworth, Barrett, Bennetts, Cox, Edland, Holtz, Jacobsen, Johnston, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Menahan, Nichols, Schepens. Total 17.

Absent or not voting: Lockrem, Marks, Selstad, Mr. Speaker. Total 4.

## REPORTS OF STANDING COMMITTEES

January 18, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 be amended on page 2, Section 3, Sub-

section (1), line 9, after "within a" by striking "[seven (7)]" and inserting in lieu thereof "five (5)", and

Be further amended on page 2, Section 3, Subsection (1), line 12, after "subsection" by striking the period "." and inserting "; provided that after the first ten (10) points accumulated after the effective date of this act, the bureau may search the offender's record back for a five (5) year period from that date and impose conviction points as they may be indicated.", and

Be further amended on page 2, Section 3, Subsection (a), line 14, after "vehicle," by striking "[twelve (12)]" and inserting in lieu thereof "fifteen (15)", and

Be further amended on page 3, Section 3, Subsection (i), line 12, after "driving," by striking "[eight (8)]" and inserting in lieu thereof "five (5)", and

Be further amended on page 3, Section 3, Subsection (k), line 16, after "so" by striking "[four (4) points,]" and inserting in lieu thereof "six (6) points, except as hereafter provided: operating a motor vehicle while license has expired within a period of one hundred and eighty (180) days;"

Be further amended on page 3, Section 3, Subsection (m), line 18, after "violations," by inserting "including operation of a motor vehicle without a license to do so where said license has expired in the previous one hundred and eighty (180) days," and

Be further amended on page 7, Section 11, Subsection (1), line 11, after "a period of" by striking "[seven (7)]" and inserting in lieu thereof "five (5)", and

Be further amended on page 7, Section 12, line 25, after "expiration of the" by striking "[seven (7)]" and inserting in lieu thereof "five (5), and

Be further amended on page 8, Section 14, lines 19 and 20, after "years" by striking "[, and no portion of the sentence given shall be suspended.]" and inserting in lieu thereof a period ".".

And, as amended, do pass.

LAAS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 18, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 be amended on page 1, lines 5 and 6 of the Title, after "general," by striking "[providing for a driver rehabilitation advisory council;]" and

Be further amended on page 1, line 8 of the Title, after "techniques" by deleting the "." and inserting "and providing for an appropriation of two hundred forty-five thousand, three hundred and fifteen dollars (\$245,315).", and

Be further amended on page 2, Section 2, Subsection (2), lines 23 and 24, after "general" by striking "[after consultation with the driver rehabilitation board established by this act]".

Be further amended on page 3, Section 2, Subsection (3), line 1, after "improvement" by inserting "programs", and

Be further amended on page 3, Section 2, Subsection (3), line 2, after "whose" by striking "[operator's]" and after "operate or" by striking the letter "[s]" on the word "privileges", and



Be further amended on page 3, line 11, Section 2, Subsection (4), be added a new Subsection "(4) The attorney general may establish by administrative rule a schedule of conviction point credits to be applied against a previous record who has successfully completed any program established under this act.", and

Be further amended following Subsection (4), page 3, line 11 of the bill, by renumbering Subsections 4, 5, and 6, to be Subsections 5, 6, and 7; and

Be further amended on page 3, Section 2, Subsection (5), lines 11 and 12, after "notwithstanding any" by striking "[inconsistent]" and inserting in lieu thereof, after "this act" the word "inconsistent", and

Be further amended on page 3, Section 2, Subsection (5), lines 22 and 23, after "agreement to" by striking "[participation]" and inserting in lieu thereof "participate", and after "improvement" by striking the period "[.] and inserting in lieu thereof "programs.", and

Be further amended on page 4, Section 2, Subsection (6), lines 9 and 10, after "shall be" by striking "[used to help defray costs of maintaining said driver rehabilitation and improvement programs.]" and inserting in lieu thereof "deposited into the general fund of the state treasury.", and

Be further amended on pages 4 and 5, Section 3, lines 16 through 25, and 1 through 10, by striking "Section 3. There is a new Section to be numbered 31-177, R.C.M. 1947, which reads as follows: 31-177. (1) The attorney general shall appoint a driver rehabilitation advisory council of not less than three (3) nor more than five (5) members, who shall serve at the pleasure of the attorney general. The membership of the council shall include, but need not be limited to, representatives of the fields of driver education, law enforcement and highway safety. Members of the council are entitled to their actual and necessary expenses incurred in the performance of their duties. (2) The council shall advise the attorney general with respect to the development of a comprehensive driver rehabilitation and driver improvement program with a view of promoting highway safety and determining those drivers who are a menace to the highways. (3) The council shall advise the attorney general as to the methods most desirable in gathering statistics on the evaluation of the driver rehabilitation and driver improvement programs."

Be further amended by adding the following new copy "Section 3. There is appropriated from the general fund to the Department of Law Enforcement and Public Safety the sum of two hundred forty-five thousand, three hundred and fifteen dollars (\$245,315) for the biennium ending June 30, 1975 for administration of this act.", and

Be further amended by adding the following new copy "Section 4. The Department of Law Enforcement and Public Safety may, with the approval of the governor, apply for, receive, and spend federal funds as available, whether matching or otherwise. Federal matching funds shall be deposited into the general fund of the State Treasury as a credit against the appropriation established for the administration of this act and shall reduce the appropriation by the equivalent amount of the deposit."

And, as amended, do pass.

LAAS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 15 be taken from the Committee on Taxation and be returned to Third Reading.

Motion carried.

Bardanouve moved that House Bill No. 87 be taken from Printing and be rereferred to Committee on Finance and Claims.

Motion carried.

Fasbender moved that the House adjourn until 10:00 a.m., January 20, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## EIGHTEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 20, 1973

House convened, pursuant to adjournment, at 10:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Bennetts, Brown, Edland, Hageman, Jacobsen, Kolstad, Manuel, Menahan, Nichols, Roberts, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 17th Legislative Day, find the same to be correct.

QUILICI, Chairman

January 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 19, 63, 81, 95, 129, 139.

FLEMING, Vice Chairman

January 4, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 be amended as follows:

On page 2, title, line 22, after the word and punctuation "BOARD," by inserting the words "OR LIQUOR CONTROL BOARD", and

Be further amended on page 65, section 48, line 5, after the word "the" by striking the words "county assessor" and inserting in lieu thereof the words "department of revenue or its agents", and

As so amended, do pass.

WATT, Chairman

Report adopted.

January 4, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 be amended as follows:

On page 1, title, line 25, after the word "BY" by striking the words "REPLACING THE STATE BOARD OF EQUALIZATION WITH" and inserting in lieu thereof the word "CREATING", and

Be further amended on page 10, section 2, line 10, after the word and punctuation "revenue;" by inserting the words "for purposes of appraisal, assessment, and equalization only;", and

Be further amended on page 10, section 2, after line 14, by inserting a new subsection to read as follows: "(3) The county commissioners of each of the various counties shall provide suitable office space in the county courthouse for use by the county assessor, his deputies and staff.", and

Be further amended on page 23, section 15, line 12, after the figures "84-429.8." by striking the words "Classification and appraisal fund" and inserting in lieu thereof the words "property tax administration fund", and

Be further amended on page 23, section 15, line 15, after the word "the" by striking the words and punctuation "Classification and Appraisal Fund," ", and inserting in lieu thereof the words "property tax administration fund", and

Be further amended on page 23, section 15, line 18, after the word "the" by striking the word "county" and inserting in lieu thereof the word "state", and

Be further amended on page 23, section 15, line 20, after the word "of" by striking the words "such fund" and inserting in lieu thereof the words "the state treasurer", and

Be further amended on page 23, section 15, line 25, after the word and punctuation "improvements." by inserting the following words: "All monies in this fund shall be available to the state legislature for appropriation to the proper agency. No monies shall be expended from this fund without an appropriation by the legislature.", and

Be further amended on page 34, section 36, line 22, after the word "receive" by striking the words "compensation in an amount as may be specified by the legislative assembly in the appropriation to the state tax appeal board" and inserting in lieu thereof the words "travel expenses and per diem only when the county tax appeal board is in session to hear taxpayer appeals from property tax assessments. Travel expenses and per diem shall be paid from the appropriation to the state tax appeal board", and

Be further amended on page 35, section 36, line 8, after the word and punctuation "August." by inserting the words "In connection with any such appeal, the county tax appeal board shall have the authority to change any assessment or fix the assessment at some other level.", and

Be further amended on page 41, section 45, line 16, after the word and punctuation "office." by striking the words "The state", and

Be further amended on page 41, section 45, line 18, after the word "amended" by striking the words "tax appeal board shall be composed of three members to be appointed by the governor and shall serve from the effective date of this act until March 1, 1974. The governor shall appoint or reappoint members of the state tax appeal board by and with the advice and consent of the senate to serve from March 1, 1974, until January 1, 1977.", and

Be further amended on page 42, section 45, line 8, after the word and punctuation "qualified." by striking the words "Subsequent members of the board shall serve four (4) year terms to run concurrently with the term of office of the governor and must be appointed with the advice and consent of the senate." and inserting in lieu thereof the words "On the effective date of this act, there shall be created a state tax appeal board which shall be composed of three members to be appointed by the governor for staggered terms by and with the advice and consent of the senate provided, however, a member so appointed may serve until the next regular session of the legislature without such advice and consent. Each succeeding member shall hold his office for a term of six years, and until his successor shall be appointed and shall have qualified.", and

Be further amended on page 47, section 52, line 25, after the word and figure "Section 52." by inserting the letter and punctuation "(a)", and

Be further amended on page 48, section 52, beginning on line 18, by inserting a new subsection to read as follows: "(4) Hearings, witnesses, contempt, fees and subpoenas. Oaths to witnesses in any investigation by the state tax appeal board may be administered by a member of the board or his agent. In case any witness shall fail to obey any summons to appear before said board, or shall refuse to testify, or answer any material question, or to produce records, books, papers or documents when required to do so, such failure or refusal shall be reported to the attorney general, who shall thereupon institute proceedings in the proper district court to punish the witness for such neglect or refusal. Any person who shall testify falsely in any material matter, under consideration by the board shall be guilty of perjury and punished accordingly. Witnesses attending shall receive like compensation as witnesses in the district court. Such compensation shall be charged to the proper appropriation for the board.", and

Be further amended on page 48, after subsection (4), by inserting a new subsection to read as follows: (5) The state tax appeal board shall also have the duties of an appeal board relating to such other matters as may be provided by law.

(b) 48-708.1 Judicial review of contested cases.

(1) Any party to an appeal before the state tax appeal board who is aggrieved by a final decision in a contested case is entitled to judicial review under this act.

(2) Proceedings for review shall be instituted by filing a petition in district court within thirty (30) days after service of the final decision of the state tax appeal board, or if a rehearing is requested within thirty (30) days after the decision thereon.", and

Be further amended on page 70, section 62, line 25, after the word and figure "Section 62." by inserting the letter and punctuation "(a)", and

Be further amended on page 71, section 62, line 5, after the word "county" by striking the words and punctuation "; but franchises derived from the United States must not be assessed", and

Be further amended on page 72, section 62, after line 3, by inserting a new subsection to read as follows: "(b) Section 84-802.1. Hearing before the state tax appeal board.

Following the assessment by the department, any aggrieved party may appeal to the state tax appeal board according to the rules and regulations of said board.", and

Be further amended on page 73, section 64, after line 13, by inserting a new subsection to read as follows: "(3) After making such assessment,



the department shall give written notice thereof to the person or persons to whom the assessment is made.”, and

Be further amended on page 73, section 65, line 14, after the word and figure “Section 65.” by inserting the letter and punctuation “(a)”, and

Be further amended on page 73, section 65, after the word and punctuation “raised” by inserting a new subsection to read as follows: “(b) Section 84-903.1. Hearing before the state tax appeal board.

Following the assessment by the department, any aggrieved party may appeal to the state tax appeal board according to the rules and regulations of said board.”, and

Be further amended on page 93, section 73, line 24, after the word “and” by striking the word “[take]” and inserting in lieu thereof the word “present”, and

Be further amended on page 120, section 101, line 2, after the word and figure “Section 101.” by inserting the letter and punctuation “(a)”, and

Be further amended on page 120, line 11, by inserting the following new section 102 and renumbering each subsequent section. “Section 102. Section 84-4922 (2295.22), R.C.M. 1947, is amended to read as follows:

84-4922. (2295.22) Revision-application-hearing-adjustment.

[If an application for revision be filed with the board by a taxpayer within five (5) years from the original due date of the return the board shall grant a hearing thereon, and if it is made to appear upon any such hearing by evidence submitted to it or otherwise, that any such computation includes taxes or other charges which could not have been lawfully demanded, or that payment has been illegally made or exacted of any such amount so computed, the board shall resettle the same according to law and the facts, and adjust the computation of taxes accordingly, and shall send notice of its determination thereon to the taxpayer.]

An application for revision may be filed with the department of revenue by a taxpayer within five (5) years from the original due date of the return. If the taxpayer is not satisfied with the action taken by the department, he may appeal to the state tax appeal board as provided therein, which shall have authority to grant the claim or any part thereof.”, and

Be further amended on page 129, section 110, line 8, after the word “before” by inserting the words “state tax appeal board.”, and

Be further amended on page 129, section 110, beginning on line 9, by striking the word “department.”, and

Be further amended on page 129, section 110, line 11, after the word “the” by striking the word “department” and inserting in lieu thereof the words “state tax appeal board”, and

Be further amended on page 129, section 110, line 14, after the word “The” by striking the word “department” and inserting in lieu thereof the word “board”, and

Be further amended on page 129, section 110, line 19, by striking the word “department” and inserting in lieu thereof the word “board”, and

As so amended, do pass.

WATT, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60, be amended as follows:

On page 1, in the title, on line 9 after the figures "71-241" by adding the following punctuation "," and also on page 1, on line 10 by striking the word and figures "[through 71-250]" and the insertion in lieu thereof the following word, figures and punctuation: "71-243, 71-244, 71-245, 71-246, 71-248 and 71-249", and

Further amend on page 1, on line 13, in the title, by adding after the word "LIEN" the words, figures, and punctuation "AND AMENDING 71-247, R.C.M. 1947", and

Further amend on page 1, section 1, line 20, after the word and punctuation "released." by inserting a new section as follows:

"Section 2. Section 71-247, R.C.M. 1947 is amended to read as follows: "71-247. Recovery from the estate of a decedent—claim for assistance paid. Upon the death of any recipient of public assistance other than aid to dependent children, or general relief, the state department of public welfare shall execute and present a claim against the estate of such person within the time specified in the published notice to creditors in the estate matter for the total amount of assistance paid under this act, separately stating therein the amount of all assistance paid from and after the 1st day of July, 1953, [which is secured by the lien herein provided for. Said claim shall be a preferred claim having the preference specified by subdivision 4, section 91-3601.]

[No claim hereunder shall be enforced against any real estate of a recipient while it is occupied by the surviving spouse, or dependent, as a home, but the lien provided for by this act shall, until paid, continue in full force as against the real estate of such recipients notwithstanding postponement of enforcement thereof by reason of such occupancy of the surviving spouse or dependent.]

The state board of public welfare shall not assert its [lien or] claim during the lifetime and continued occupancy of [said] any real estate of a deceased recipient's estate by the surviving spouse or dependent as a home or residence unless other claimants or persons shall have instituted proceedings for the probate of the estate of the deceased recipient, in which case the board shall file its claim hereunder."

And further amend the present section 2 to be section 3, and

Further amend on page 1, newly numbered section 3, line 21 of the original bill by striking the figures and punctuation "71-242" and by striking on line 22, page 1 of the original bill the figures and punctuation "71-247," and the further figures and punctuation and word "and 71-250," and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

January 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills were this day read third time and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 62, introduced by McKeon

Senate Bill No. 91, introduced by Mathers and McDonald

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

January 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on third reading vote, concurred in the House Amendments to Senate Bill No. 22 and to House Amendments to Senate Joint Resolution No. 2.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Towe, having voted on the prevailing side on the previous day, on adopting an adverse committee report on House Bill No. 73, moved the House reconsider its action.

Towe requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bradley, Brand, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosen, Kvaalen, Lynch, McKittrick, Marbut, Murphy, Norman, Prevost, Regan, Schepens, Sheldon, Staigmiller, Stoltz, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 42.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Marks, Mehrens, Mercer, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield. Total 47.

Excused: Bennetts, Brown, Edland, Hageman, Jacobsen, Kolstad, Manuel, Menahan, Nichols, Roberts. Total 10.

Absent or not voting: Bardanoue. Total 1.

Kvaalen moved that House Joint Resolution No. 6 be taken from Second Reading and be rereferred to Committee on Constitution, Elections and Federal Relations.

Motion failed by vote of 40-50.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 17, introduced by Haines: A Joint Resolution of the Senate and the House of Representatives of the State of Mon-

tana requesting the director of the Montana State Historical Society to design a new state flag for adoption by the 1974 Legislative Assembly. Referred to Committee on State Administration.

House Joint Resolution No. 18, introduced by Towe, Huennekens, Norman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to determine an acceptable minimum level of services to be provided by county and city-county health departments, the feasibility of creating district public health departments, and an economical means for providing public health services to the people of Montana. Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 264, introduced by East, Turner, Turman, Cox, Marks, Lundgren, Clemow, Hubing, Holtz, Lockrem, Campbell, Glennen, Selstad: A bill for an act entitled: "An act to amend Section 87-103, R.C.M. 1947, providing for an increase in the maximum weekly benefit amount; providing a new formula for determining the qualifying base period wage; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 265, introduced by Jacobsen, Hageman, Lund, Nichols, Prevost, Manuel, Murphy, Gunderson: A bill for an act entitled: "An act to amend Section 32-1123, R.C.M. 1947, increasing the allowable width of vehicles and the moving distance of farm vehicles; and altering the flagmen escort requirements of farm vehicles." Referred to Committee on Highways and Transportation.

House Bill No. 266, introduced by Brand: A bill for an act entitled: "An act to amend Section 93-5816, R.C.M. 1947, pertaining to exemption of earnings from levy of execution or attachment to provide for form of affidavit, filing and a hearing if contested." Referred to Committee on Judiciary.

House Bill No. 267, introduced by Yardley, Hall, Bell: A bill for an act entitled: "An act to amend Section 93-9908, R.C.M. 1947, relating to contents of the complaint in eminent domain proceedings and who must be styled defendants therein." Referred to Committee on Judiciary.

House Bill No. 268, introduced by Murphy, Gerke, Flynn, Schye, Walborn, Kosena, Kendall, Roberts, Manuel, Kimble, Greely, H. Harper: A bill for an act entitled: "An act to restrict campaign expenditures for candidates to the State Legislature to five hundred dollars (\$500) for the primary election and one thousand dollars (\$1,000) for the general elections; and amending Sections 94-1427 and 94-1428, R.C.M. 1947." Referred to Committee on Constitutions Elections and Federal Relations.

House Bill No. 269, introduced by Bell, Gunderson: A bill for an act entitled: "An act amending Section 32-1213, R.C.M. 1947, relating to the confidentiality of automobile accident reports filed pursuant to the uniform accident reporting act by providing that such reports may be examined by certain persons. Referred to Committee on Judiciary.

House Bill No. 270, introduced by Swanberg, Hodges, McKittrick, Staig-miller: A bill for an act entitled: "An act to amend Section 95-2007, R.C.M. 1947, by expanding the sentencing power of justice and police courts." Referred to Committee on Judiciary.

House Bill No. 271, introduced by Healy, Mehrens, Lee, Lynch, R. Harper, Zimmer, Brand, Quilici, Lombardi, Kosena, Flynn: A bill for an act entitled: "An act amending Section 28-602, R.C.M. 1947, to provide that a rural fire control chief may be a regular county officer, or other person; amending Section 28-604, R.C.M. 1947, to make clear that fire companies and fire districts in unincorporated areas are excluded; and providing an effective date." Referred to Committee on Local Government.



House Bill No. 272, introduced by Baucus, Watt, Lynch, Turman, McKittrick, Hageman: A bill for an act entitled: "An act amending Section 34-301, R.C.M. 1947, relating to regulation of certain establishments; amending Section 34-302, R.C.M. 1947, relating to definitions; amending Section 34-303, R.C.M. 1947, relating to licenses required; amending Section 34-304, R.C.M. 1947, relating to the fee charged for a license; amending Section 34-306, R.C.M. 1947, relating to rules and regulations and cooperative agreements; providing for related matters; and repealing Section 34-308, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 273, introduced by Baucus, Gunderson, Regan, Swanberg: A bill for an act entitled: "An act to amend Section 75-7109, R.C.M. 1947, to allow the sale of refunding bonds by a school district without notice when the interest rate on the new bonds is at least one-half of one percent (.5%) per annum less than the interest rate on the bonds to be redeemed." Referred to Committee on Education.

House Bill No. 274, introduced by Kimble, Turman, Marbut, Towe, Baucus, Tierney, Hodges, Murphy, Bradley, Roberts: A bill for an act entitled: "An act to amend the housing authorities law by removing the referendum provisions; and amending Section 35-104, 35-109 and 35-128, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 275, introduced by Flynn, Clemow: A bill for an act entitled: "An act to add the definition of district to Section 11-3803 and to amend Section 11-3810 (2), R.C.M. 1947, to require membership of district board members on each County Planning Board." Referred to Committee on Local Government.

House Bill No. 276, introduced by Towe, Bradley, Holmes, R. Harper, Huennekens, Colberg, Driscoll, Regan, Gunderson, Hodges, Baucus, Fleming, Fagg, McKittrick, Kimble, Norman, Marbut, Turman: A bill for an act entitled: "An act to disallow consideration of advertising expenses and contributions in setting rates charged by public utilities." Referred to Committee on Business and Industry.

House Bill No. 277, introduced by Towe, Norman: A bill for an act entitled: "An act amending Section 80-2211, R.C.M. 1947, relating to the apprehension and return of children who have left a juvenile facility of the Department of Institutions without permission by defining the term 'juvenile facility of the department.'" Referred to Committee on Judiciary.

House Bill No. 278, introduced by Towe, Tierney: A bill for an act entitled: "An act amending Section 70-106, R.C.M. 1947, providing that money deposited in Montana banks may be considered as operating capital included in the value of property used in determining the rate base." Referred to Committee on Business and Industry.

House Bill No. 279, introduced by Hall: A bill for an act entitled: "An act to amend Sections 41-2303, 41-2306, and 41-2307, R.C.M. 1947, to provide that employees' minimum wage shall be exclusive of gratuities, to provide for further protection to employees, and to define the application of the Fair Labor Standards act." Referred to Committee on Labor and Employment Relations.

House Bill No. 280, introduced by Baucus, Shelden, Bradley, Hall, Fasbender: A bill for an act entitled: "An act abolishing the Office of Investment Commissioner, the Investment Department, the Position of Commissioner of Insurance, and the Insurance Department and transferring their functions to the Department of Business Regulation." Referred to Committee on State Administration.

House Bill No. 281, introduced by Fagg, Hager, Mercer, Glennen, Lee, Kimble, Galt, Walborn, Olson, Smith, Stephens, Huennekens, Towe, Kendall, Seifert, Laas, Zimmer, Flynn, Brown, Hubing, Quilici, Marbut, Driscoll, Warfield, Manuel, Baeth, Shelden, Roberts, Ellerd, Burnett, Healy,

Lombardi, Hageman, R. Harper, Cotton, Clemow, Jones, Schye, Turman, Yardley: A bill for an act entitled: "An act providing for distinctive license plates for members of the Legislative Assembly." Referred to Committee on Highways and Transportation.

House Bill No. 282, introduced by Hager, Selstad, Fleming, Stephens: A bill for an act entitled: "An act to amend Sections 3-2308 and 3-2315, R.C.M. 1947, eliminating the use and sale of the Montana Egg Seal; and repealing Sections 3-2307 and 3-2312, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 283, introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-7403, R.C.M. 1947, to provide that the number of hours in a school day may be reduced if the total number of hours in the school week are not less than thirty (30); and providing for approval of reduction by the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 284, introduced by Cotton: A bill for an act entitled: "An act creating the Montana Public Service Commission Regulatory Trust Fund." Referred to Committee on Taxation.

House Bill No. 285, introduced by Towe: A bill for an act entitled: "An act requiring the State Department of Revenue to remit the proceeds of the business and occupations license tax to local governments and to counties for the support of public schools; requiring local governments and counties to reduce property tax levies." Referred to Committee on Taxation.

House Bill No. 286, introduced by Huennekens, Fagg, Colberg, Towe: A bill for an act entitled: "An act to amend Section 26-104, R.C.M. 1947; deleting statutory requirements as to locations for drawings for special elk permits; and providing that drawings are to be conducted as prescribed by the Fish and Game Commission." Referred to Committee on Fish and Game.

House Bill No. 287, introduced by Laas: A bill for an act entitled: "An act to require the state, its units, counties, cities, towns, school districts or other political subdivisions of the state that awards contracts for public works to make provisions for pollution control; providing that any pollution control which is not specified but is encountered during execution of a contract be paid for on a force account basis; and defining force account." Referred to Committee on Highways and Transportation.

House Bill No. 288, introduced by Laas: A bill for an act entitled: "An act to repeal Section 32-2804, R.C.M. 1947, which allows Boards of County Commissioners to contract with the federal government to construct roads without competitive bidding." Referred to Committee on Highways and Transportation.

House Bill No. 289, introduced by Asbjornson, Olson, Glennen, Schye: A bill for an act entitled: "An act to amend Section 91-4450, R.C.M. 1947, to provide that the county treasurer retain five percent (5%) of inheritance taxes collected." Referred to Committee on Taxation.

House Bill No. 290, introduced by R. Harper, Bradley, Tierney, Baucus, Driscoll, Colberg, Huennekens, Towe, Gunderson: A bill for an act entitled: "An act amending Section 60-212, R.C.M. 1947, providing that gasoline dealers shall have octane ratings on pumps." Referred to Committee on Business and Industry.

House Bill No. 291, introduced by Laas, Johnston, Burnett: A bill for an act entitled: "An act to amend Section 84-1382.1, R.C.M. 1947, to provide for state assumption of paved federal and secondary highway maintenance, and to provide funding for such state maintenance." Referred to Committee on Highways and Transportation.

Senate Bill No. 62, introduced by McKeon: A bill for an act entitled: "An act amending Section 66-411, R.C.M. 1947, by providing for licenses for hair styling schools, clinics, advanced barber training programs, or seminars." Referred to Committee on Business and Industry.

Senate Bill No. 91, introduced by Mathers, McDonald: A bill for an act entitled: "An act to amend Section 46-212, R.C.M. 1947, changing the basis for establishing livestock disease control areas from township boundaries to school district boundaries." Referred to Committee on Agriculture, Livestock and Irrigation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Greely in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 89 be passed to the bottom of the board.

That House Bill No. 116 do pass (85-0).

That House Joint Resolution No. 6 be amended by inserting after line 25, page 1, the following new material:

"WHEREAS the Congress of the United States has not exercised its constitutional power as outlined in Article I-8 of the Constitution of the United States to limit or stop the conflict in Indochina for a period in excess of a decade and," (83-3)

Be further amended by deleting the material on lines 1 through 4, page 3 of the Second Reading Resolution in its entirety, and (85-2)

As amended, do pass. (53-40).

That Towe's amendment to House Bill No. 29 do not pass. Towe requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the amendment failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Gerke, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer. Total 83.

Noes: Barrett, Baucus, Burnett, Gunderson, R. Harper, Hodges, Norman. Total 7.

Paired: Roberts, aye; Barrett, no; Brown, aye; R. Harper, no.

Absent or not voting: Selstad, Watt. Total 2.

Excused: Bennetts, Edland, Hageman, Jacobsen, Kolstad, Manuel, Menahan, Nichols. Total 8.

That House Bill No. 29 do pass (83-7).

That House Bill No. 105 do pass (82-6).

That House Bill No. 114 do pass (86-2).

That the Committee rise and report and beg leave to sit again.

GREELY, Chairman

Report adopted.

Fasbender moved that the House stand in recess subject to call of the Chair.

Motion carried.

House recessed.

House resumed.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Greely in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 130 do pass (85-1).

That House Bill No. 140 do pass (87-0).

That House Bill No. 142 do pass (89-0).

That House Joint Resolution No. 11 do pass (87-0).

That House Resolution No. 3 be adopted (90-0).

That Senate Joint Resolution No. 3 be concurred in (87-0).

That House Bill No. 18 be amended in section 7, by striking in its entirety all of subsection (3) of said section, being lines 7 through 25, page 16 and lines 1 through 15 inclusive, page 17 of the Second Reading bill, and (48-40)

Further amend section 6, page 12, line 16 of the Second Reading bill by striking the word "one" and inserting the words "a separate", (84-0)

And, as amended, be passed for the day.

That House Bill No. 89 be amended in section 1 by adding on line 24, page 1 of the corrected Second Reading bill, after the words and punctuation "autopsy," the words "upon the request of any such hospital." (87-0)

And, as amended, do pass. (86-0).

That the Committee rise and report.

GREELY, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:



House Bill No. 15 was passed by the following vote:

Ayes: Aageson, Baeth, Baucus, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Mercer, Murphy, Norman, Quilici, Regan, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 57.

Noes: Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Brand, Cox, East, Ellerd, Flynn, Forsgren, Galt, Holtz, Hubing, Kvaalen, Lockrem, Lund, Marks, Olson, Prevost, Rolfe, Schye, Smith, Ulmer, Walborn, Zimmer. Total 26.

Excused: Bennetts, Brown, Edland, Hageman, Jacobsen, Kolstad, Lucas, Manuel, Menahan, Nichols, Roberts. Total 11.

Absent or not voting: Hager, Holmes, Lundgren, Schepens, Selstad, Warfield. Total 6.

House Bill No. 103 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 84.

Noes: None.

Excused: Bennetts, Brown, Edland, Hageman, Jacobsen, Kolstad, Lucas, Manuel, Menahan, Nichols, Roberts. Total 11.

Absent or not voting: Hager, Holmes, McKittrick, Selstad, Mr. Speaker. Total 5.

House Bill No. 113 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Bennetts, Brown, Edland, Hageman, Jacobsen, Kolstad, Lucas, Manuel, Menahan, Nichols, Roberts. Total 11.

Absent or not voting: Burnett, Hager, Selstad. Total 3.

## MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 18 be taken from Second Reading and

be rereferred to Committee on State Administration. Motion failed.

House Resolution No. 3, introduced by Holmes, Hodges, Huenneken, H. Harper, Greely, Stoltz, Bennetts, Kendall, Halvorson, Kimble, R. Harper, Towe, Bradley, Murphy, Laas, Regan, Hager, Fagg, Yardley:

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE DEPARTMENT OF ADMINISTRATION TO RECOMMEND TO ALL STATE AGENCIES TO MAKE USE OF RECYCLED PAPER WHEREVER FEASIBLE.

WHEREAS, the offices of state government use large amounts of paper each year, and

WHEREAS, this item of governmental expense is considerable and necessarily takes large areas for storage and disposal, and

WHEREAS, paper is derived from our forest resources, a consumable, and

WHEREAS, paper production and disposal contributes to pollution.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the department of administration is requested to recommend to all state agencies the desirability and efficacy of using recycled paper wherever possible. Also, paper should be used on both sides, rather than second sheets, wherever feasible, to gain added economy, and

BE IT FURTHER RESOLVED, that a copy of this resolution should be sent to the director of the department of administration.

Fasbender moved that the House adjourn until 1:30 p.m., Monday, January 22, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## NINETEENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 22, 1973

House convened pursuant to adjournment, at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ainsworth, Nichols, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 18th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 80.

QUILICI, Chairman

January 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 94.

QUILICI, Chairman

January 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 78, 91, 107, 135, 136 and House Joint Resolution No. 7.

QUILICI, Chairman

January 18, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 10, respectfully report as follows: That House Joint Resolution No. 10 do pass.

GREELY, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do pass.

MEHRENS, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do pass.

HALL, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do pass.

HALL, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 do pass.

HALL, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 do pass.

KOSENSA, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do pass.

KOSENSA, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do not pass.

KOSENSA, Chairman

Turman moved as a substitute motion that House Bill No. 156 be rereferred to committee.

Motion carried.

January 22, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154, do not pass.

KOSENSA, Chairman

Tierney moved as a substitute motion that House Bill No. 154 be re-referred to committee.

Motion failed.

Therefore, the committee report was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Brand, Burnett, Campbell, Clemow, Cox, Driscoll, East, Ellerd, Fashbender, Fleming, Flynn, Forsgren, Galt, Haines, Hall, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Roberts, Schepens, Seifert, Selstad, Smith, Stoltz, Ulmer, Walborn, Zimmer, Mr. Speaker. Total 52.

Noes: Aageson, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Kessner, Kimble, Kvaalen, Lund, Marbut, Mercer, Murphy, Norman, Regan, Rolfe, Schye, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 42.

Absent or not voting: Edland, Fagg, Kolstad, Lucas. Total 4.

Excused: Ainsworth, Nichols. Total 2.

January 20, 1973

Mr. Speaker: We, your Committee on Bills and Journal, having had



under consideration Senate Bill No. 45, respectfully report as follows: That Senate Bill No. 45 be concurred in.

QUILICI, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do not pass.

STAIGMILLER, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Ben-  
netts, Bradley, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East,  
Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely,  
Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper,  
Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Ken-  
dall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lynch,  
Marbut, McKittrick, Marks, Mehrens, Mercer, Murphy, Norman, Olson,  
Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith,  
Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn,  
Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Baucus, Brand, Clemow, Fagg, Holmes, Menahan, Tierney, Tur-  
man. Total 8.

Absent or not voting: Brown, Burnett, Kolstad, Kvaalen, Lucas, Lund,  
Lundgren, Manuel, Schye, Selstad. Total 10.

Excused: Ainsworth, Nichols. Total 2.

January 22, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Rules having had under con-  
sideration House Bill No. 76 and the question of introduction in the second

session of the bienneum of bills that have been rejected in the first session, respectfully report as follows: That any bills finally rejected during the first regular session may not be introduced in the second regular session nor may any bill designed to accomplish the same purpose be introduced save upon approval of the Rules Committee of the House in which the bill is offered for introduction or reception, and move that the report be adopted.

FASBENDER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion to print the rules, respectfully report as follows: That the Legislative Council make the rules of the 43rd Legislative Assembly current, print the rules as amended, supply an index thereto, place in a looseleaf folder and transmit the same to the Legislative Assembly, and move that the report be adopted.

FASBENDER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of introduction time on bills, respectfully report as follows: That any bill drafted pursuant to a request submitted to the Legislative Services Division prior to the Seventeenth (17) Legislative Day and is delivered to the author after the Eighteenth (18) Legislative Day by the Legislative Services Division, the author shall have twenty-four (24) hours after such delivery to submit the same to the Clerk of the House or Secretary of the Senate, and move that the report be adopted.

FASBENDER, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be amended in line 15 by striking the word "duly" and be further amended in Line 16 by striking the word "elected" and as so amended be concurred in.

FASBENDER, Chairman

Report adopted.

January 20, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100, be amended on page 3, section 1, subsection 8, line 14, by inserting after "show" the following "through a written report from his attending physician." and as so amended do pass.

HEALY, Chairman

Report adopted.

## MESSAGES FROM THE OTHER HOUSE

January 20, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable

Body that the following House Bill was read third time and passed as amended, title and history agreed to and the bill is herewith returned to the House for concurrence in Senate Amendment:

House Bill No. 35, introduced by Lucas & Shelden, (by request).

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Tierney moved that House Bill No. 18 be taken from Second Reading and be rereferred to Committee on State Administration.

Tierney requested a roll call vote with ayes and nays spread on the journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Cox. Total 73.

Noes: Brand, Campbell, Colberg, Cotton, Hall, Healy, Huennekens, Kendall, Laas, Lee, Lombardi, Lynch, Manuel, Mehrens, Quilici, Smith, Staigmiller, Ulmer, Walborn, Mr. Speaker. Total 20.

Absent or not voting: Fagg, Fasbender, R. Harper, Schye, Stoltz. Total 5.

Excused: Ainsworth, Nichols. Total 2.

Fasbender moved that House Resolution No. 4 be taken from the Committee on Constitution, Elections and Federal Relations and be rereferred to Committee on Agriculture, Livestock and Irrigation.

Motion carried.

Fasbender moved that House Bill No. 220 be taken from Committee on Labor and Employment Relations and be rereferred to Committee on Education.

Motion carried.

Fasbender moved that Rules be suspended and House Joint Resolution No. 10, be placed on Second Reading this day.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were accepted for introduction on the 18th day and were assigned this day as follows:

House Joint Resolution No. 19, introduced by Ellerd, Lien: A Joint Resolution of the Senate and House of Representatives of the State of Montana proposing an amendment to the 1972 Constitution of the State of Montana providing for biennial sessions of the legislature. Referred to Committee on Judiciary.

House Joint Resolution No. 20, introduced by Aageson, Kolstad, Selstad,

Laas, Flynn, Lynch, Bell, H. Harper, Tierney, Bradley, Lien, Murphy, Gerke, Quilici, Jones, Lundgren, Lucas, East, Marbut, Turman, R. Harper, Zimmer, Driscoll, Mehrens, Ashbjornson, Towe, Huennekens, Colberg, Kendall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Federal Communication Commission to bar telecasting and broadcasting of projected election results until all polls involved in the election are closed. Referred to Committee on Business and Industry.

House Joint Resolution No. 21, introduced by Cox, Smith, Walborn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging that all military cemeteries be administered by the Veterans' Administration and that the Custer Battlefield National Cemetery be granted more land. Referred to Committee on State Administration.

House Bill No. 292, introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act transferring the safety functions of the Division of Workmen's Compensation to the Department of Labor and Industry." Referred to Committee on Labor and Employment Relations.

House Bill No. 293, introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act transferring the Quasi-Judicial Functions of the Division of Workmen's Compensation to the Board of Labor Appeals." Referred to Committee on Labor and Employment Relations.

House Bill No. 294, introduced by McKittrick, Hall, Fasbender, Greely, Swanberg, Gerke, Marbut, R. Harper: A bill for an act entitled: "An act abolishing the Division of Workmen's Compensation and transferring its functions to the Department of Labor and Industry and the Board of Labor Appeals; and repealing Sections 82A-1004 and 82A-1005, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 295, introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act amending Section 82A-1004, R.C.M. 1947, providing that the administrator of the Division of Workmen's Compensation shall be appointed by the Commissioner of Labor and Industry in lieu of the governor." Referred to Committee on Labor and Employment Relations.

House Bill No. 296, introduced by McKittrick, Quilici, Lynch, Marbut, Norman: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide for an increase in the minimum wage." Referred to Committee on Local Government.

House Bill No. 297, introduced by Bardanouve, Ainsworth, Greely, H. Harper, Swanberg, Lee, Bell, Marbut, Yardley, Gunderson, Cox, Staigmiller, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 11-1829, R.C.M. 1947, to authorize the investment of police retirement fund money in time or savings deposits in banks, Building and Loan Associations and Savings and Loan Associations." Referred to Committee on Judiciary.

House Bill No. 298, introduced by Bardanouve, Haines, R. Harper, H. Harper, Ainsworth, Fagg, Yardley, Marbut, Lee, Bell, Staigmiller, Cox, Bennetts, Swanberg, Greely, Gunderson, Baucus, Brand, Mehrens, Hall, Watt, Castles, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett: A bill for an act entitled: "An act amending Section 16-2618, R.C.M. 1947, to authorize county, city and town treasurers to deposit public money in Savings and Loan Associations." Referred to Committee on Judiciary.



House Bill No. 299, introduced by Bardanouve, Greely, Swanberg, H. Harper, Fagg, Baucus, Ainsworth, Staigmler, Cox, Gunderson, Yardley, Bell, Marbut, Lee, R. Harper, Brand, Mehrens, Hall, Castles, Bennetts, Fاسبender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 11-1914, R.C.M. 1947, to authorize the investment of fire department relief association funds in time or savings deposits in banks, Building and Loan Associations and Saving and Loan Associations." Referred to Committee on Judiciary.

House Bill No. 300, introduced by Bardanouve, Ainsworth, Haines, H. Harper, Bell, Greely, Swanberg, Gunderson, Lee, Cox, Staigmler, Marbut, Yardley, R. Harper, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts, Fاسبender, Hodges, Prevost, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 79-301, 79-302 and 79-306, R.C.M. 1947, to authorize the deposit of public moneys in Savings and Loan Association." Referred to Committee on Judiciary.

House Bill No. 301, introduced by Marbut, Kendall, Hall, Roberts, Driscoll, Kimble, Towe, Bradley, Kosena, Baucus, Turman, Hodges, Mehrens, Hueneekens, Schepens: A bill for an act entitled: "An act providing that foster or boarding homes or community residential facilities serving eight (8) or fewer specified handicapped persons be considered as a residential use of property; be permitted to use all residential zones; and to permit cities and counties to require a conditional use permit to maintain such homes in residential zones." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 302, introduced by Burnett, Laas: A bill for an act entitled: "An act to amend Section 41-2304, R.C.M. 1947, allowing freedom of contract for wages." Referred to Committee on Labor and Employment Relations.

House Bill No. 303, introduced by Bradley, Forsgren, Regan, Warfield: A bill for an act entitled: "An act to amend Section 75-6001, R.C.M. 1947, relating to teacher certification; providing an exemption for student teachers performing practice teaching in the public schools; and defining the legal status of student teachers during such assignment." Referred to Committee on Education.

House Bill No. 304, introduced by Haines, Ainsworth: A bill for an act entitled: "An act to amend Sections 16-1230, 16-1231 and 16-1232, R.C.M. 1947, to permit counties to contract with printing establishments for county printing." Referred to Committee on Business and Industry.

House Bill No. 305, introduced by Brand, Burnett, Lee, Lynch, Lombardi, Quilici, Lund, McKittrick, Staigmler, Baeth, Kosena, Bradley, Sheldon, Murphy, Lundgren, Cox, Barrett, Marbut, Seifert, Walborn, Schye, Schepens, Kendall, Yardley, Stephens: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam war between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund twelve million dollars (\$12,000,000) for the payment of such honorarium and adjusted compensation and the administration of the law." Referred to Committee on Finance and Claims.

House Bill No. 306, introduced by Burnett: A bill for an act entitled: "An act to require review of executive orders." Referred to Committee on Judiciary.

House Bill No. 307, introduced by Brand: A bill for an act entitled: "An act to require notice to defendant of garnishment action and providing opportunity for a hearing." Referred to Committee on Judiciary.

House Bill No. 308, introduced by Cox, Yardley, Hall: A bill for an act entitled: "An act amending Section 45-1003, R.C.M. 1947, relating to liens for labor and material furnished for use of oil or gas wells or pipelines by deleting any reference to perfecting, priority, and method of filing such liens; providing how such liens are perfected; providing for the date such liens shall arise; providing for the preference of such lien over certain other liens; providing that all liens affixed by virtue of Chapter 10 of Title 45, R.C.M. 1947, upon the same property shall be of equal standing; and providing for the priority of such lien over mortgage or other liens." Referred to Committee on Business and Industry.

House Bill No. 309, introduced by Warfield: A bill for an act entitled: "An act to allow school districts to stop payment of issued warrants one (1) year after the date of issue." Referred to Committee on Education.

House Bill No. 310, introduced by Warfield: A bill for an act entitled: "An act deleting the requirement that school districts have signed claims for an expenditure when adequate documentation is provided by the payee; and amending Section 75-6806, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 311, introduced by Kimble (by request): A bill for an act entitled: "An act to amend Section 25-303, R.C.M. 1947, authorizing payment to justices of the peace for services rendered for filing a complaint and issuing a warrant of arrest." Referred to Committee on Judiciary.

House Bill No. 312, introduced by Bardanouve: A bill for an act entitled: "An act to transfer certain funds from the Public Employees' Retirement System account in the agency fund to the State Game Wardens' Retirement Account in the agency fund." Referred to Committee on Finance and Claims.

House Bill No. 313, introduced by Zimmer, Laas: A bill for an act entitled: "An act amending Section 82-1209, R.C.M. 1947, to require the state fire marshal to investigate the exact cause and circumstances of fires damaging or destroying property; to require insurance companies to notify the fire marshal of the cause and circumstances of certain fires; and requiring officials responsible for fire investigations to file loss incident reports on each fire." Referred to Committee on Business and Industry.

House Bill No. 314, introduced by Ulmer, Tierney, Fasbender: A bill for an act entitled: "An act amending Section 84-6903, R.C.M. 1947, to provide for an alternative tax based on gross sales as required under Article III of the multi-state tax compact (Title 84, Chapter 67, R.C.M. 1947)." Referred to Committee on Taxation.

House Bill No. 315, introduced by Kimble, Turman, Bradley, Lien, Murphy: A bill for an act entitled: "An act to repeal Section 79-1602, R.C.M. 1947, authorizing certain state departments and bureaus to administer federal funds for Indians." Referred to Committee on State Administration.

House Bill No. 316, introduced by Fasbender: A bill for an act entitled: "An act abolishing the State Board of Hail Insurance and the Department of Hail Insurance and transferring their functions to the Department of Business and Regulation; transferring functions of the state auditor in Section 82A-2103, R.C.M. 1947; and repealing Section 82A-2103, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 317, introduced by Yardley, Cox: A bill for an act entitled: "An act providing for the filing of declarations of estimated income tax if income not subject to withholding is one thousand dollars (\$1,000) or more and estimated tax can reasonably be expected to exceed

fifty dollars (\$50); amending Section 84-4939, R.C.M. 1947; providing a penalty for underpayment of estimated tax; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 318, introduced by Hall, Bell: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana the second replacement of Part 2 of Volume Number 4 of the Revised Codes of Montana 1947, as published by the publishers and distributors of said codes; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 319, introduced by Haines: A bill for an act entitled: "An act increasing the size of the board of trade; modifying the terms and compensation of its members and the method of designating its chairman; amending Sections 27-301, 27-306 and 27-310, R.C.M. 1947, to bring all retail stores within the scope of the licensing and enforcement powers of the board; amending Sections 27-302, 27-303, 27-305, 27-307, 27-308, 27-313 and 27-314, R.C.M. 1947, to make reference to the board of trade instead of the Montana Trade Commission; and repealing Section 27-312, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 320, introduced by Fagg, Kvaalen, Lombardi, Galt, Lucas, Hager, Mercer, Glennen, Lockrem: A bill for an act entitled: "An act prohibiting the public display of offensive sexual material, with definition of terms; and providing for a penalty." Referred to Committee on Judiciary.

House Bill No. 321, introduced by Lee, Lynch, Glennen, Mercer, Cox, Lombardi, Healy, Quilici, Lockrem, Mehrens, Kosena, Lucas, Norman, Kimble, Fleming, Gerke, McKittrick: A bill for an act entitled: "An act to amend Sections 84-202, 84-301, and 84-302, R.C.M. 1947, to exempt from taxation freeport merchandise." Referred to Committee on Taxation.

House Bill No. 322, introduced by Lee, Lynch, Quilici, Lombardi, Healy, R. Harper, Mehrens, Kosena, Fleming, Gerke, Brand: A bill for an act entitled: "An act to change the dates for payment of property taxes and special assessments; and amending Sections 84-4101, 84-4103, 84-4104 and 84-4111, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 323, introduced by Lee, Yardley, Brand, Lombardi, Quilici, Towe, Norman, Healy, Marbut, Lynch, Hall, Cox, Glennen, Mercer, Seifert, Mehrens, Lucas, Gerke, R. Harper, Kimble, Norman, Fleming: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide for an increase in the longevity pay." Referred to Committee on Local Government.

House Bill No. 324, introduced by Zimmer, Asbjornson: A bill for an act entitled: "An act amending Section 11-2022, R.C.M. 1947, to increase from twenty-five dollars (\$25) per month to fifty dollars (\$50) per month the maximum amount which may be paid to each qualified claimant under the volunteer firemen's pension plan; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 325, introduced by Lien, Gunderson, Hodges, Staigmilller, Swanberg, Kimble, Norman, Lund, Kvaalen, Ulmer: A bill for an act entitled: "An act to amend Sections 94-1430 and 94-1431, R.C.M. 1947, to extend the period of time for reporting campaign expenses to thirty (30) days." Referred to Committee on Constitution Elections and Federal Relations.

House Bill No. 326, introduced by Kimble, McKittrick, Murphy, Norman, Baucus, Turman, Marbut: A bill for an act entitled: "An act to amend Sections 69-1501, 69-1508, 69-1509, 69-1512, 69-1601, 69-1604, R.C.M. 1947 and Section 94-35-212, R.C.M. 1947 to upgrade qualifications for hoisting engineers, to eliminate special inspectors of boilers, and revise fees for engineer license in the State of Montana." Referred to Committee on Labor and Employment Relations.



House Bill No. 327, introduced by Marks: A bill for an act entitled: "An act amending Section 84-1202, R.C.M. 1947, by increasing the license tax on producers and importers of cement; limiting the imposition of the tax to sales or uses within the state of Montana; and providing for an effective date." Referred to Committee on Taxation.

House Bill No. 328, introduced by Lucas, Laas, Lockrem, Ulmer, Quilici: A bill for an act entitled: "An act amending Sections 82-1922 and 82-1144, R.C.M. 1947, to permit certain persons to enter into contracts with the state that are the result of competitive bidding." Referred to Committee on State Administration.

House Bill No. 329, introduced by Laas, Murphy, Johnston: A bill for an act entitled: "An act amending Section 60-145, R.C.M. 1947, to increase the privilege and license tax on the production of oil and gas; and to require the payment of a fee for the drilling of stratigraphic test wells or core holes." Referred to Committee on Taxation.

House Bill No. 330, introduced by Norman: A bill for an act entitled: "An act providing for environmental noise control; providing for administration promulgation of rules and regulations, inspections, and enforcement of the act; and appropriating forty-six thousand nine hundred seventy-eight dollars (\$46,978) to implement this act for biennium starting July 1, 1973." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 331, introduced by Burnett, Jones, East: A bill for an act entitled: "An act declaring the legislative policy regarding activities of organized labor and pressure groups affecting agriculture, imposing liability for losses in perishable agricultural products suffered by an agricultural employer when a union or pressure group engages in concerted economic pressure." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 332, introduced by Ulmer: A bill for an act entitled: "An act amending Section 84-6701, R.C.M. 1947, to specifically adopt the multi-state tax compact provisions relating to interstate audits." Referred to Committee on Taxation.

House Bill No. 333, introduced by Fasbender: A bill for an act entitled: "An act abolishing the Board of Administration of the public employees' retirement system, the Montana State Game Wardens' Retirement Board, the Montana Judges' Retirement Board, and the Teachers' Retirement Board and transferring their functions to the Department of Administration and to a Board of Teachers' and Public Employees' Retirement; and repealing Sections 82A-210, 82A-211 and 82A-212, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 334, introduced by Lien, Hall, Kimble, Swanberg: A bill for an act entitled: "An act to amend Section 16-807, R.C.M. 1947, to clarify the limit of indebtedness a county can incur as being five percent (5%) of the assessed value of the taxable property in the county and to delete the requirement that any indebtedness exceeding ten thousand dollars (\$10,000) be submitted to the voters." Referred to Committee on Local Government.

House Bill No. 335, introduced by Aageson, Gunderson, Kolstad, Lundgren, Flynn, Laas, Jacobsen, Ellerd, Ulmer, Murphy, Schye, Jones, Lucas, Kendall, Lien, Asbjornson, Mehrens, Holtz, Cotton: A bill for an act entitled: "An act amending Sections 89-310, 89-312, 89-314 and 89-318, R.C.M. 1947; adding new provisions broadening the scope of weather modification by creating county weather modification authorities; and authorizing more extensive research and development of weather modification." Referred to Committee on Natural Resources.



House Bill No. 336, introduced by Kolstad, Aageson, Murphy, Laas: A bill for an act entitled: "An act to amend Sections 59-519 and 59-520, R.C.M. 1947, to allow school boards to appoint school personnel within one degree of consanguinity and affinity." Referred to Committee on Education.

House Bill No. 337, introduced by Glennen, Mercer, Lombardi: A bill for an act entitled: "An act amending Sections 11-1814 and 11-1821, R.C.M. 1947, allowing computation of retirement allowance in proportion to the current and changing pay schedules of the active police force." Referred to Committee on Local Government.

House Bill No. 338, introduced by East, Lundgren, Hubing, Lucas: A bill for an act entitled: "An act amending Sections 75-7102 and 75-8122, R.C.M. 1947, providing that community college districts shall have bonding authority and shall have authority to borrow moneys." Referred to Committee on Education.

House Bill No. 339, introduced by Towe, Haines, Gerke, Holmes, Huennekens, Cox, Colberg, Glennen, Mercer, Hager, Fagg, Regan, Lockrem: A bill for an act entitled: "An act amending Section 10-622, R.C.M. 1947, providing for maximum salaries for juvenile probation officers and qualifications justifying the salary." Referred to Committee on Judiciary.

House Bill No. 340, introduced by Marbut, Gunderson, Healy, Haines, Halvorson, Regan, H. Harper, Castles, McKittrick, Bradley, Towe, Holmes, Cox, Turman: A bill for an act entitled: "An act providing for compulsory school attendance; repealing Section 75-6304, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

House Bill No. 341, introduced by Shelden, Bardanoue, Turman, Baeth, Fasbender, Burnett, Haines, Fagg, Watt, Bradley, Flynn, Kosena, Quilici, Kendall, Warfield, Greely: A bill for an act entitled: "An act concerning the division of land into lots; providing for the adoption and enforcement of subdivision rules by counties in accordance with standards established by the Department of Inter-Governmental Relations; providing for submission of a preliminary plan; providing for review and referral thereof; providing for public hearings and prescribing criminal penalties and criminal remedies of violations of the act." Referred to Committee on Natural Resources.

House Bill No. 342, introduced by Fagg, (by request): A bill for an act entitled: "An act establishing responsibility for the enforcement of zoning provisions and providing penalties for knowingly failing to enforce zoning provisions." Referred to Committee on Local Government.

House Bill No. 343, introduced by Holmes, Kimble, Fagg, Tierney, Towe, H. Harper, Huennekens, Shelden: A bill for an act entitled: "An act providing that all educators who secure contracts to teach on Indian Reservations in Montana be required to take at least six (6) hours (six (6) college credits) in Indian culture courses." Referred to Committee on Education.

House Bill No. 344, introduced by Towe, Fasbender, Turman, Gerke, Kendall: A bill for an act entitled: "An act to amend Sections 11-1925, 11-1926 and 11-1927, R.C.M. 1947, to provide for pension adjustment based upon compensation paid to confirmed firemen." Referred to Committee on Labor and Employment.

House Bill No. 345, introduced by Towe, Greely: A bill for an act entitled: "An act amending Section 11-1821, R.C.M. 1947, providing for a cost-of-living increase in subsequent payments to retired policemen." Referred to Committee on Labor and Employment Relations.

House Bill No. 346, introduced by Hall: A bill for an act entitled: "An act amending Section 91-4418, R.C.M. 1947, by requiring the clerk of the

district court to pay estimated inheritance tax collections to the State Department of Revenue instead of to the county treasurer." Referred to Committee on Taxation.

House Bill No. 347, introduced by Fasbender: A bill for an act entitled: "An act to repeal Sections 84-2301 through 84-2310, R.C.M. 1947, relating to a license tax on sleeping car companies; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 348, introduced by Zimmer: A bill for an act entitled: "An act repealing Section 69-1803, R.C.M. 1947, pertaining to fire escape requirements; repealing Section 69-1804, R.C.M. 1947, pertaining to fire escape specifications; repealing Section 69-1805, R.C.M. 1947, pertaining to duties of owners or occupants where fire escapes are required; repealing Section 69-1806, R.C.M. 1947, pertaining to safety requirements for exterior stairways and corridors; and repealing Section 69-1807, R.C.M. 1947, pertaining to fire extinguisher requirements for buildings." Referred to Committee on Business and Industry.

House Bill No. 349, introduced by Zimmer, Marks: A bill for an act entitled: "An act to repeal Section 69-1910, R.C.M. 1947, pertaining to licensing of explosive magazines; to repeal Section 69-1911, R.C.M. 1947, pertaining to inspection of explosive factories and magazines; and to repeal Section 69-1930, R.C.M. 1947, pertaining to storage of kerosene, petroleum or caps in unincorporated towns and regulations for disposal of materials after dark." Referred to Committee on Business and Industry.

House Bill No. 350, introduced by Marbut, Towe: A bill for an act entitled: "An act establishing a program of protective services for the mentally disabled." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 351, introduced by Bardanoue: A bill for an act entitled: "An act providing the State Highway Commission with the power to regulate the height of advertising signs; and establishing a maximum height for those signs." Referred to Committee on Highways.

House Bill No. 352, introduced by Hall: A bill for an act entitled: "An act amending Section 91-4414, R.C.M. 1947, relating to exemptions for inheritance tax purposes, by limiting the inheritance tax exemption available to "adopted and mutually acknowledged children" to "minor adopted and mutually acknowledged children"; and by allowing widowers the same inheritance tax exemption as widows." Referred to Committee on Taxation.

House Bill No. 353, introduced by Towe: A bill for an act entitled: "An act repealing the public service commissions authority under Sections 70-117.1 through 70-117.6, R.C.M. 1947, to regulate and supervise the issuance of securities by public utilities furnishing electric or gas service in Montana." Referred to Committee on Business and Industry.

House Bill No. 354, introduced by Marks: A bill for an act entitled: "An act amending Sections 84-1102 and 84-1104, R.C.M. 1947, by increasing the license tax on cement dealers; limiting the imposition of the tax to sales or uses within the state of Montana; and providing for an effective date." Referred to Committee on Taxation.

House Bill No. 355, introduced by Kvaalen, Prevost: A bill for an act entitled: "An act to amend Section 89-1804, R.C.M. 1947, to eliminate the four dollar (\$4) per acre limitation for administration and maintenance costs in irrigation districts." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 356, introduced by Colberg, Walborn: A bill for an act entitled: "An act providing for a referendum to be submitted to the electors in November 1973 for amending Section 93-9902, R.C.M. 1947; and remov-

ing the provision that mining, extraction of ores, metals, or minerals owned by one person, located beneath or upon the surface of property owned by another person is a public use in behalf of which the right of eminent domain may be exercised." Referred to Committee on Judiciary.

House Bill No. 357, introduced by Lee, McKittrick, Lynch: A bill for an act entitled: "An act amending Section 87-106, R.C.M. 1947, to exempt from disqualification an individual who leaves his employment because of illness or to accept better employment; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 358, introduced by Lynch, McKittrick, Lee: A bill for an act entitled: "An act to amend Section 87-106, R.C.M. 1947, changing the amount of disqualifying retirement income; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 359, introduced by Baeth, Turner, Zimmer, Turman, Marbut, Seifert, Shelden: A bill for an act entitled: "An act to provide a means by which counties could determine the existence and location of taxable property for assessment purposes." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Murphy in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 10, do pass. (85-2)

That House Bill No. 22, do pass. (83-8)

That House Bill No. 19, do pass. (95-0)

That House Bill No. 63, do pass. (85-6)

That House Bill No. 81, do pass. (91-3)

That House Bill No. 95, do pass. (90-4)

That House Bill No. 129, do pass. (69-27)

That Senate amendments to House Bill No. 35, be concurred in. (91-3)

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 3, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow,

Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Gerke, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ainsworth, Nichols. Total 2.

Absent or not voting: Flynn, Glennen, Lien, Schye. Total 4.

### MOTIONS AND RESOLUTIONS

Colberg moved that House Bill No. 76 be rereferred back to Committee on Business and Industry.

Motion failed.

Fasbender moved that the House adjourn until 1:30 p.m., January 23, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

### TWENTIETH LEGISLATIVE DAY

House of Representatives

Helena, Montana

January 23, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Speaker Pro Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Nichols and Gerke, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

January 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Joint Resolution No. 8 and House Bills Nos. 134, 138, 144, 246, 150, 163, 151, 165, 175, 54 and 36.

QUILICI, Chairman



January 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 81, 82, 99, 114, 116, 130, 140, 142, 129, 105, 95, 63, 29, and 22 and House Joint Resolutions Nos. 10 and 11.

QUILICI, Chairman

January 17, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Turner, Ulmer, Walborn, Warfield. Total 61.

Noes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Greely, Gunderson, Hageman, H. Harper, R. Harper, Hodges, Holmes, Kendall, Kimble, McKittrick, Marbut, Murphy, Norman, Regan, Roberts, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley. Total 33.

Excused: Nichols, Gerke. Total 2.

Absent or not voting: Brown, Edland, Shelden, Zimmer. Total 4.

January 16, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 be amended on page 5, section 10, subsection 5, beginning on line 11, by deleting the words "[of partition by]" and inserting in lieu thereof the words "pursuant to", and

And as amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 be amended on page 2, section 3, line 3, after the word "of" by striking the words "[four thousand dollars (\$4,000)]" and inserting in lieu thereof the words "one thousand dollars (\$1,000)", and

Be further amended on page 2, section 4, subsection 2, line 24, after the words "least" by striking the words "[four thousand dollars (\$4,000)]" and inserting in lieu thereof the words "one thousand dollars (\$1,000)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 91.

Noes: Colberg, R. Harper, Turman. Total 3.

Excused: Nichols, Gerke. Total 2.

Absent or not voting: Edland, Fasbender, Forsgren, Zimmer. Total 4.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 be amended on page 1, beginning line 4, by inserting the number and word "84-202", and

Be further amended on page 1, line 8, after the word "in" by inserting the word "farm", and

Be further amended on page 1, line 8, after the word "amending" by striking the word "[section]" and inserting in lieu thereof the word and figures "Sections 84-202 and", and

Be further amended on page 1, line 8, after the figure "1947" by inserting the words "and providing for an effective date", and

Be further amended on page 1, line 12, by inserting the following new section 1 and renumbering the subsequent sections "Section 1. Section 84-202, R.C.M. 1947, is amended to read as follows:

84-202. Exemptions from taxation. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations, public libraries, all perishable agricultural products in farm storage shall be tax exempt, and such other property as is used exclusively for agricultural and horticultural societies, for educational purposes, places of actual religious worship, hospitals and places of burial not used or held for private or corporate profit, and institutions of purely public charity, evidence of debt secured by mortgages of record upon real or personal property in the state of Montana, and public art galleries and public observatories not used or held for private or corporate profit, are exempt from taxation, but no more land than is necessary for such purpose is exempt; provided, the term "institutions of purely public charity" as used in this act shall include organizations owning and operating facilities for the care of the retired or aged or chronically ill which are not operated for gain or profit; provided, that the terms public art galleries and public observatories used in this act shall mean only such art galleries and observatories whether of public or private ownership, as are open to the public, without charge or fee at all reasonable hours, and are used for the purpose of education only, and also when a clubhouse or building erected by or belonging to

any society or organization of honorably discharged United States soldiers, sailors or marines who served in army or navy of United States, is used exclusively for educational, fraternal, benevolent or purely public charitable purposes, rather than for gain or profit, together with the library and furniture necessarily used in any such building, and all property, real or personal, in the possession of legal guardians of incompetent veterans of the World War or minor dependents of such veterans, where such property is funds or derived from funds received from the United States as pension, compensation, insurance, adjusted compensation, or gratuity, shall be exempt from all taxation as property of the United States while held by the guardian, but not after title passes to the veteran or minor in his or her own right on account of removal of legal disability.”, and

Be further amended on page 8, by inserting a new line 18 and the following new section “Section 3. This act is effective on passage and approval.”, and

Be further amended on page 4, line 16, after the word “in” by inserting the word “farm”, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be amended as follows:

Amend on page 1, line 14 after the word “the” insert the word “official” and,

Further amend on page 1, line 14 after the word “ballot” insert the following “for the general election” and,

Further amend on page 1, line 17, after the word “office” insert “for another term” and,

Further amend on page 2, section 2, line 2 after the word “on the” insert the word “official” and,

Further amend on page 2, section 2, line 2 after the word “ballot” insert “for the general election” and,

Further amend on page 2, section 2, after the word “office” insert “for another term” and

As amended, be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 be amended as follows:

Amend on page 1, line 4 and 5 by striking the words “[that the supreme court] and inserting in lieu thereof “a method to” and,

Further amend by striking all material in the set bill beginning on page 1, line 16 all the way through the end of the bill and,

Further amend that after section 1, subsection 1 a new subsection 2 be added to read as follows: “(2) That the disability of such officer shall

be termed in the same fashion as to provide for the determination of the disability of the governor under article 6, section 13 of the Montana constitution provided that when the officer in question is the attorney general the declaration shall be made by the governor and lieutenant governor." and,

As amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 be amended as follows:

Amend on page 1, line 9, by deleting the following words, "[and providing an effective date]." and,

Further amend on page 1, line 14, by striking the words "[June 30]" and inserting in lieu thereof "July 1" and,

Further amend on page 1, lines 17 and 18 deleting the words "[and their deputies]" and,

Further amend on page 1, line 18 by striking the words "[in conformity with]" and inserting in lieu thereof "which shall not be less than" and

Further amend by deleting all of Section 3, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

KENDALL, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be concurred in.

GREELY, Vice-Chairman

Report adopted.



January 22, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

FLEMING, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 be amended in section 1 on page 1, line 17, after the word "nominate" by adding the following words: "by petition", and

Be further amended in section 2, page 3, line 14, after the word "election" by deleting the following material: ", [except that write in voting shall not be available in a first class elementary district]", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

GUNDERSON, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 be amended in section 1, page 2, line 14 of the original and second reading bill by inserting the following material, a new subsection (2) to read as follows: "(2) It shall be unlawful for an employer to terminate or separate an employee from his employment in an attempt to circumvent the provisions of this law. Should a question arise under this paragraph, it shall be submitted to arbitration as provided in Chapter 201, Title 93, R.C.M. 1947.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 46, respectfully report as follows: That Senate Bill No. 46 be concurred in.

BRAND, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 be amended on section 6, subsection (2), page 12, line 10 of the original bill being section 6, subsection (2), page 12, line 16 of the second reading bill, before the word "investment" by striking the word "[one]" and inserting in lieu thereof the words "a separate", and

Further amend on section 7, subsection (d), page 17, line 3, of the original bill being section 7, subsection (d), page 17 line 13 of the second reading bill by striking the following material "[twenty-five percent (25%)]" and inserting in lieu thereof the following material "twenty percent (20%)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be concurred in.

HALL, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do pass.

HALL, Chairman

Report adopted.

## MESSAGES FROM THE SENATE

January 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 67, introduced by Lynch and Flynn

Senate Bill No. 75, introduced by Nees, Mathers, et al

Senate Bill No. 77, introduced by Zody and Thiessen

Senate Bill No. 86, introduced by McDonald, et al

Senate Bill No. 100, introduced by Lynch

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Ulmer, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 154, moved that the House reconsider its action.

As a substitute motion, Tierney moved that the motion to reconsider be laid on the table.

Motion failed (39-55).

Thereupon the original motion by Ulmer failed.

Hall moved that the Rules be suspended for further reading of amendments on committee reports unless requested.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 360, introduced by Marbut, Holmes, Turner, Turman, Castles, McKittrick, Bennetts: A bill for an act entitled: "An act providing that parents of long-term patients at institutions administered by the Division of Mental Hygiene and the Division of Mental Retardation of the Department of Institutions are liable only to the extent of the cost of caring for a normal child at home as determined from standard sources by the Department of Institutions." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 361, introduced by Bell and Bardanouve: A bill for an act entitled: "An act to amend Section 84-4905, R.C.M. 1947, to exempt retirement income of military personnel and policemen and firemen retirement benefits income from adjusted gross income." Referred to Committee on Taxation.

House Bill No. 362, introduced by Marks, Zimmer: A bill for an act entitled: "An act amending the Volunteer Firemen's Pension Plan under the Volunteer Firemen's Compensation Act; amending Section 11-2022 and Section 11-2023, R.C.M. 1947; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 363, introduced by Gunderson, Murphy, Towe, Cox, Lucas: A bill for an act entitled: "An act amending Section 75-8702, R.C.M. 1947, providing that residency status of students may be determined by authority of the regents." Referred to Committee on Education.

House Bill No. 364, introduced by Bardanouve, Edland, Jacobsen, Burnett: A bill for an act entitled: "An act to amend Section 84-1855, R.C.M. 1947, relating to the refund of gasoline license tax on gasoline used off the public highways by establishing a procedure to be followed by the claimant and the Department of Revenue in estimating the amount of the gasoline license tax refund; and by proscribing records of use to be kept by claimants who do not elect to estimate the amount of gasoline tax to be refunded." Referred to Committee on Highways and Transportation.

House Bill No. 365, introduced by Norman: A bill for an act entitled: "An act to amend Section 4-322, R.C.M. 1947, forbidding beer wholesalers from selling beer to the public." Referred to Committee on Taxation.

House Bill No. 366, introduced by Regan and Hall: A bill for an act entitled: "An act relating to the assignability of consumer paper." Referred to Committee on Business and Industry.

House Bill No. 367, introduced by Regan and Bardanouve: A bill for an act entitled: "An act prohibiting the use of chain distributor schemes; and providing a penalty." Referred to Committee on Business and Industry.

House Bill No. 368, introduced by Schye, Halvorson, Prevost, Schepens, Jones, Marks, Walborn: A bill for an act entitled: "An act requiring all owners, stockholders, mortgagees and their spouses to be fingerprinted

when applying for a new liquor license or for the transfer of a liquor license." Referred to Committee on Business and Industry.

House Bill No. 369, introduced by Lee, Lynch, Lockrem, Cox, Lombardi, Healy, McKittrick, Quilici, Mehrens, Kosena, Menahan: A bill for an act entitled: "An act amending Section 66-2804, R.C.M. 1947, providing for Board of Electricians' per diem expenses." Referred to Committee on State Administration.

House Bill No. 370, introduced by Edland: A bill for an act entitled: "An act amending Section 84-4919, R.C.M. 1947, to allow individual taxpayers an automatic two (2) month extension of time for filing income tax returns; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 371, introduced by Kimble, Bennetts, Watt, H. Harper, Bradley, Edland, Norman, Murphy, Regan, Holmes: A bill for an act entitled: "An act creating the Montana Traffic Safety Act of 1973; requiring the construction of footpaths and bicycle trails in certain cases; and permitting their construction in certain other cases." Referred to Committee on Highways and Transportation.

House Bill No. 372, introduced by Bennetts, Bardanouve, Kimble, Tierney: A bill for an act entitled: "An act providing procedures within the Department of Labor and Industry that will enable women to reach their fullest potential of service and contribution to society." Referred to Committee on Labor and Employment Relations.

House Bill No. 373, introduced by Edland, Gunderson, Fleming, R. Harper, Jacobsen, Brown, Murphy, Prevost, Brand, Bennetts: A bill for an act entitled: "An act amending Section 14-417, R.C.M. 1947, to provide for association approval of marketing contracts; and excluding agricultural associations formed under the Cooperative Marketing Act from the provisions of Section 94-1104, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 67, introduced by Lynch and Flynn: A bill for an act entitled: "An act providing that no special risk classification may be established based on anything in a driving record which is three (3) years old or older; amending Section 40-3640, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 75, introduced by Nees, Mathers, Bollinger, Lowe: A bill for an act entitled: "An act to amend Section 66-2426, R.C.M. 1947, to provide for an exemption for water conditioner installers from regulation under the Board of Plumbing Examiners." Referred to Committee on Business and Industry.

Senate Bill No. 77, introduced by Zody and Thiessen: A bill for an act entitled: "An act amending Section 75-7810, R.C.M. 1947, relating to tuition and transportation payments for children attending an institution supported solely by funds of the State of Montana by providing that the provisions of such section shall apply to summer sessions of such institutions as well as the regular sessions of such institutions." Referred to Committee on State Administration.

Senate Bill No. 86, introduced by McDonald, Goodheart, Breeden, Mathers: A bill for an act entitled: "An act providing for regulation of the various phases of the marketing and distribution of agricultural seeds intended for propagation purpose and restricting the methods of disposition of screenings that contain viable prohibited noxious weed seed; and repealing Sections 3-301 through 3-309, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 100, introduced by Lynch: A bill for an act entitled: "An act amending Section 40-3640, R.C.M. 1947, to require that revenues



and profits from reserves be considered in the determination of insurance rates." Referred to Committee on Business and Industry.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself in to a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Brown in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker Pro Tem: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 139 do pass (92-0).

That House Bill No. 78 be amended on page 1 of Second Reading Bill, lines 16, 17 and 18, in the title, after "licenses;" by striking "reducing the age for a pioneer license from sixty-five (65) to sixty-two (62), and (91-1)

Further amend page 8, line 12, section 1, subsection (14), after "(65)" by striking sixty-two (62), and to reinstate the words "sixty-five (65)". and (93-0)

Further amend page 11, line 12, section 3, after "thereof." by adding "The funds raised under this section are not to supplement any funds or sources of funds currently being used for acquisition or purchase of fishing accesses, stream, river or lake frontages and the land deemed necessary to provide recreational use thereof, but serve in addition to those funds." (82-11)

And, as amended, do pass (72-21).

That House Bill No. 107 do pass (74-17).

That House Bill No. 135 do pass (53-39).

That House Bill No. 136 be moved to the bottom of the board and carry with it all discussion and retain same status as now.

That Senate Bill No. 64 be concurred in (91-2).

That Senate Bill No. 45 be concurred in (85-4).

That House Joint Resolution No. 7 do pass (58-37).

That House Bill No. 91 do pass (91-1).

That House Bill No. 136 be passed for the day.

That the Committee rise and report.

BROWN, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 80 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender,

Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 92.

Noes: Bell, Burnett, Kolstad, Rolfe, Smith, Walborn. Total 6.

Excused: Nichols, Mr. Speaker. Total 2.

Absent or not voting: None.

House Bill No. 94 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer. Total 85.

Noes: Ainsworth, Bell, Burnett, H. Harper, Jacobsen, Kessner, Lien, Prevost, Selstad, Smith, Ulmer, Walborn. Total 12.

Excused: Nichols, Mr. Speaker. Total 2.

Absent or not voting: Turner. Total 1.

### THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 35 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 86.

Noes: Burnett, Fasbender, Greely, R. Harper, Lockrem, McKittrick, Olson, Schye. Total 8.

Excused: Nichols, Mr. Speaker. Total 2.

Absent or not voting: Aageson, Ainsworth, Ellerd, Seifert. Total 4.

## MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 136 be taken from Second Reading and be rereferred to Committee on Local Government.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 24, 1973.

Motion carried.

House adjourned.

WALTER LAAS, Speaker Pro Tem

ED SMITH, Chief Clerk

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TWENTY-FIRST LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 24, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Haines, Johnson, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 20th Legislative Day, find the same to be correct.

QUILICI, Chairman  
January 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 89 and House Joint Resolution No. 6.

QUILICI, Chairman  
January 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 9, 86, 100, 118, 112, 106, 195, 219.

QUILICI, Chairman  
January 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 19, 91, 101, 107, 135 and 139 and House Joint Resolution No. 7.

QUILICI, Chairman  
January 24, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 be amended as follows:

Amend on page 3, Section 2, line 22 by striking the word "three (3)", inserting in lieu thereof the following "one (1)" and,

Further amend on page 3, line 22, Section 2, by striking the "s" on "members" to read "member" and,

Further amend on page 3, Section 2, line 24, after the words "shall be" insert "a" and,

Further amend on page 3, Section 2, line 24, by striking the "s" on "members" to read "member" and

As amended, do pass.

KOSENSA, Chairman

Zimmer moved, as a substitute motion, that House Bill No. 275 be referred to Committee on Local Government.

Motion carried.

January 24, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

KOSENSA, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do pass.

KOSENSA, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 be amended on page 3, Section 1, Subsection (h), line 8, after "and/or students" by inserting "duly enrolled in district classes".

And, as amended, do pass.

LAAS, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

LAAS, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson,



Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Lynch, Menahan, Quilici. Total 3.

Excused: Haines, Johnston. Total 2.

Absent or not voting: Bardanouve, Bradley, Brown, Burnett, Colberg, Cotton, Holmes, Huennekens, Lucas, Lundgren, Selstad, Swanberg, Towe, Zimmer. Total 14.

January 24, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass.

STAIGMILLER, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Ainsworth, Cotton, Holmes, Lockrem, Lynch, McKittrick, Murphy, Quilici, Roberts, Schepens, Schye, Zimmer. Total 12.

Excused: Haines, Johnston. Total 2.

Absent or not voting: Edland, Swanberg. Total 2.

January 24, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 be amended in Section 1, Subsection (8), page 5, line 24, after the word "trail" by adding the following new material: "unless written permission has been given by the land owner and in possession of the hunter", and

As so amended, do pass.

STAIGMILLER, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do not pass.

STAIGMILLER, Chairman

Schye moved, as a substitute motion, that House Bill No. 161 do pass. Motion failed.

Therefore, the Committee report was adopted by the following vote:

Ayes: Aageson, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Kendall,

Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Yardley, Zimmer, Mr. Speaker. Total 64.

Noes: Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brown, Burnett, Castles, Cox, Ellerd, Galt, Glennen, Hageman, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mercer, Olson, Schye, Selstad, Shelden, Smith, Turner, Ulmer, Walborn. Total 30.

Excused: Haines, Johnston. Total 2.

Absent or not voting: East, H. Harper, Menahan, Watt. Total 4.

January 24, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 be amended in the Title on line 7 before the word "cause" by striking the word "[reasonable]" and inserting in lieu thereof the word "probable", and

Further amend on page 1, Section 2, Subsection (1), line 22, after the word "a" by striking the words "[peace officer]", and

Further amend on page 1, Section 2, Subsection (1), line 23, after the word "has" by striking the word "[reasonable]" and inserting in lieu thereof the word "probable", and

Further amend on page 2, Section 2, Subsection (2), line 3 through and including line 14, by striking all the material contained therein,

And, as amended, do pass.

MEHRENS, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended in the Title on page 1, line 9, after the word "certificate" by striking the following material "[, and to require a ninety (90) day residence period prior to the issuance of a barber's certificate]", and

Further amend on page 6, Section 1, Subsection E, line 7, after the word "place." by deleting the following material: "[An applicant for a barber's certificate must submit proof that he has been a resident of the State of Montana for ninety (90) days immediately preceding the date of his application.]",

And, as amended, do pass.

MEHRENS, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 do pass.

MEHRENS, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 be amended on page 2, Section 1, Subsection (b), line 17, after the letter and punctuation "[c]" to correct

a typographical error by deleting the letter and punctuation “[g]” and inserting in lieu thereof the following letter and punctuation “(c)”, and

Further amend on page 5, Section 1, Subsection (d), lines 1 and 2, to correct a typographical error by striking the following material “[more than ten dollars (\$10.00) per day of active service on such tribunal plus necessary expense]”,

And, as amended, do pass.

McKITTRICK, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 24, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 be amended on page 1, Section 1, line 22 after the word “necessarily” by deleting the words “[traumatic or]”,

And, as amended, do pass.

McKITTRICK, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 24, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do pass.

McKITTRICK, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do pass.

McKITTRICK, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

McKITTRICK, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 be amended on page 1, Section 1, lines 9, 10, 11 and 12, by deleting all the material following “Section 1.” through the word “abolished” as follows: “[There is a new Section to be numbered 82A-614, R.C.M. 1947, which reads as follows:

82A-614. Occupation health advisory committee abolished.]” and

Be further amended on page 1, Section 1, line 13 by adding after the figures and comma "69-4210," the letters , figures and comma "R.C.M. 1947,".

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be amended on page 1, Section 1, lines 9, 10, and 11 by deleting all the material following "Section 1." "[There is a new Section to be numbered 82A-613, R.C.M. 1947, which reads as follows:

82A-613. Sanitarian advisory council abolished.]", and

Be further amended on page 1, Section 1, line 12, by adding after the figures and comma "69-3402," the letters, figures and comma "R.C.M. 1947,".

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 82.

Noes: Fasbender, Lien, Swanberg, Regan, Stoltz. Total 5.

Excused: Haines, Johnston. Total 2.

Absent or not voting: Baucus, Brown, Castles, H. Harper, Kessner, Lombardi, Lundgren, Mehrens, Selstad, Zimmer, Mr. Speaker. Total 11.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender,



Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: Bell, Burnett, Holmes, Holtz, Rolfe, Schye, Selstad, Tierney, Ulmer. Total 9.

Excused: Haines, Johnston. Total 2.

Absent or not voting: Forsgren, H. Harper, Kessner, Lucas, Lundgren, Mehrens, Regan, Roberts, Swanberg, Watt, Zimmer. Total 11.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

HALL, Chairman

Report adopted.

Speaker signed in open session Senate Bills Nos. 11, 13, 15, 20, 22, and Senate Joint Resolution Nos. 2 and 4.

#### MESSAGES FROM THE OTHER HOUSE

January 23, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time, and passed, title and history agreed to and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 63, introduced by Groff, Drake, et al.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

January 23, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was read third time and concurred in, title and history agreed to, and the bill is herewith returned to the House:

House Bill No. 40, introduced by Kosena.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 374, introduced by Schye: A bill for an act entitled: "An act to amend Section 8-131, R.C.M. 1947, to provide that affidavits or other evidence as the board may determine must accompany applications for temporary authority to specify in detail reasons for supporting the application for temporary authority and the term within which the temporary authority would be required; and providing an effective date." Referred to Highways and Transportation Committee.

House Bill No. 375, introduced by Fasbender: A bill for an act entitled: "An act to repeal Sections 84-1001 through 84-1010, R.C.M. 1947, relating to a tax on production of carbon black." Referred to Committee on Taxation.

House Bill No. 376, introduced by Hall, Lucas: A bill for an act entitled: "An act relating to validation of judicial sales prior to January 1, 1973, of real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or references in sheriffs' deeds." Referred to Committee on Judiciary.

House Bill No. 377, introduced by Hall, Lucas: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described; providing that this act may be cited as 'The 1973 Bond Validating Act'; containing a repealing clause; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 378, introduced by Hall, Lucas: A bill for an act entitled: "An act to validate records of court proceedings prior to January 1, 1973, containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired; providing that duly certified copies of such judgment or decree may be read in evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered." Referred to Committee on Judiciary.

House Bill No. 379, introduced by Hall, Lucas: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged prior to January 1, 1973; imparting notice by recording thereof; and providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly acknowledged and recorded." Referred to Committee on Judiciary.

House Bill No. 380, introduced by Hall, Lucas: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property made by trustees, executors, administrators and guardians prior to January 1, 1973, curing defects and irregularities in such sales." Referred to Committee on Judiciary.

House Bill No. 381, introduced by Hall, Lucas: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county or any property in which such county had or claimed any right, title or interest, and all instruments or transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, all right, title and interest of the county in and to the property described or covered." Referred to Committee on Judiciary.

House Bill No. 382, introduced by Hall, Lucas: A bill for an act entitled: "An act validating deeds and conveyances made prior to January 1, 1973, which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors." Referred to Committee on Judiciary.

House Bill No. 383, introduced by Baeth (by request): A bill for an act entitled: "An act amending Section 11-1909, R.C.M. 1947, to provide for a mandatory mill levy to equip and support one (1) or more volunteer fire departments, in any city or town which does not have a paid fire department and providing an effective date." Referred to Committee on Local Government.

House Bill No. 384, introduced by Tierney, Brown: A bill for an act entitled: "An act to require safe deposit companies, trust companies, corporations, banks, and other similar institutions to inventory the contents of a safety deposit box or similar receptacle of a deceased person before allowing the contents to be removed by any person, and to provide a penalty for violation of the act." Referred to Committee on Judiciary.

House Bill No. 385, introduced by Marbut, Lucas, Warfield, Cox, Shelden, Gunderson: A bill for an act entitled: "An act entering the State of Montana into the Compact for Education and providing for an Education Council." Referred to Committee on Education.

House Bill No. 386, introduced by Marbut, Haines, Warfield, Holmes, Hall, Cox, Gunderson, Greely, McKittrick, Hodges. A bill for an act entitled: "An act to amend Sections 75-7801, 75-7805 and 75-7813, R.C.M. 1947, to expand the definition of handicapped to include educationally handicapped children and to require mandatory special education services; and to repeal Sections 75-7806, 75-7807, and 75-7812, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 387, introduced by Fagg: A bill for an act entitled: "An act to be known as the "Manufactured Building Act of 1973"; establishing a building code council; providing for procedures and rules establishing a standards and requirements for manufactured buildings and building components; providing for the Department of Law Enforcement and Public Safety to administer the act; providing penalties and fees; and repealing Sections 69-2104 through 69-2120, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 388, introduced by Kosena: A bill for an act entitled: "An act to amend Section 82-808, R.C.M. 1947, allowing the state apiarist to set beekeeper registration fees commensurate with the costs of services rendered under Chapter 8, Title 82, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 389, introduced by Hageman, Zimmer: A bill for an act entitled: "An act amending Section 11-403, R.C.M. 1947, relating to the extension of boundaries of cities and towns to include contiguous platted tracts or other parcels of land; deleting the term "resident" in reference to the parties who may disapprove such extension by cities or towns of the first class; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 390, introduced by Kimble, Norman, Hodges: A bill for an act entitled: "An act to regulate security deposits required by a landlord of residential premises for damages or nonpayment of rent or performance of a written or oral lease." Referred to Committee on Judiciary.

House Bill No. 391, introduced by Bennetts, Kimble, Murphy, Huennekens: A bill for an act entitled: "An act providing for the termination of all surface coal mining to implement a compelling state interest and concern over the inadequacies of existing surface mining technology and knowledge relating to coal development; and providing a penalty." Referred to Committee on Natural Resources.

House Bill No. 392, introduced by Lynch, Quileci, Lee, Lombardi, Healy, R. Harper, Menahan: A bill for an act entitled: "An act directing the State Board of Land Commissioners to reconvey to the City of Butte certain land in the City of Butte; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 393, introduced by Brand: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to increase the period of



time a temporary license to practice cosmetology is valid and increasing the license fee from two dollars (\$2) to four dollars (\$4)." Referred to Committee on Business and Industry.

House Bill No. 394, introduced by Laas, Tierney: A bill for an act entitled: "An act to create a State Banking Board within the Department of Business Regulation and to prescribe its powers, duties and responsibilities." Referred to Committee on Business and Industry.

House Joint Resolution No. 22, introduced by Bardanouve, Bennetts: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the funding and operation of the various pension and retirement systems for public employees. Referred to Committee on State Administration.

House Joint Resolution No. 23, introduced by Ulmer, Marbut: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Administration to give priority in making purchases to products produced by handicapped persons in Montana and to provide a three percent (3%) price advantage to such products. Referred to Committee on State Administration.

House Joint Resolution No. 24, introduced by Brand, Norman, Colberg, Huennekens, Holmes, Hager, Marbut, Staigmiller, Gunderson, Hodges, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana asking that the Department of Health and Environmental Sciences and the Department of Natural Resources encourage and promote the development of organic waste conversion facilities. Referred to Committee on Natural Resources.

House Bill No. 395, introduced by Fagg (by request): A bill for an act entitled: "An act to amend Section 94-2721, R.C.M. 1947, establishing a presumption that the receiver of stolen property knew it was stolen if it was obtained outside the regular course of business and for a price disproportionate to actual retail value." Referred to Committee on Judiciary.

House Bill No. 396, introduced by Towe: A bill for an act entitled: "An act to amend Section 16-2050, R.C.M. 1947, to permit investment of county, school district and county high school moneys under the State Unified Investment program; and providing an effective date." Referred to Committee on Education.

House Bill No. 397, introduced by Towe: A bill for an act entitled: "An act amending Section 79-201, R.C.M. 1947; adding a new general fiscal duty for the State Treasurer relative to deposit of securities; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 398, introduced by Towe: A bill for an act entitled: "An act to amend Section 84-401, R.C.M. 1947, relating to assessment of property at full cash value." Referred to Committee on Taxation.

House Bill No. 399, introduced by Bell, Brand: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to Montana residents receiving the Vietnam Service Medal in military service during the Vietnam war between August 5, 1964, and a date to be announced by the United States government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund nine million nine hundred fifty thousand dollars (\$9,950,000) for the payment of such honorarium and adjusted compensation and the administration of the law." Referred to Committee on Finance and Claims.

House Bill No. 400, introduced by Mercer, Glennen, Cox, Greely: a bill for an act entitled: "An act amending Section 8-118, R.C.M. 1947; requiring every motor carrier to file with the Public Service Commission



a report on or prior to the fifteenth day of January of each year; and providing for an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 401, introduced by Glennen, Cox, McKittrick, Menahan, Greely: A bill for an act entitled: "An act amending Section 11-1825, R.C.M. 1947, increasing the deduction from the compensation of active police officers from three percent (3%) to five percent (5%) for the payment of reserve police officers." Referred to Committee on Local Government.

House Bill No. 402, introduced by Greely, Mercer, Kessner, Rolfe, Warfield, Cox, Roberts, Glennen, R. Harper, Regan, Turman, Huennekens, Holmes, Kendall, Driscoll, Bennetts, Aageson, Baucus, Menahan: A bill for an act entitled: "An act to permit newsmen to refuse to disclose news sources." Referred to Committee on Judiciary.

House Bill No. 403, introduced by Greely, Glennen: A bill for an act entitled: "An act creating a Division of Training Coordination within the Department of Law Enforcement and Public Safety; providing that the administrator of the division be appointed by the Board of Directors of the Montana County Attorneys Association; and providing for the functions of the division." Referred to Committee on Judiciary.

House Bill No. 404, introduced by Driscoll, Roberts: A bill for an act entitled: "An act amending Section 84-5606.9, R.C.M. 1947, to prohibit sale of unstamped cigarettes by a Montana dealer to an out-of-state dealer who is not licensed by the state in which the dealer is doing business; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 405, introduced by Schye: A bill for an act entitled: "An act amending Section 11-403, R.C.M. 1947, providing that cities and towns may annex lands used in whole or in part for agricultural, mining, smelting, refining, transportation, industrial, manufacturing, recreation or any other purpose not otherwise provided; defining resident freeholder; and repealing Section 11-509, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 63, introduced by Groff, Drake, McOmber, James, McCallum, Jensen: A bill for an act entitled: "An act providing for the automatic disincorporation of Montana cities and towns having populations of three hundred (300) or less and procedures for disincorporation by petition in cities or towns having populations of five thousand (5,000) or less; providing for elections to determine the question; establishing procedures for managing existing debt; defining the effect of disincorporation; and repealing Sections 11-306 and 11-307, R.C.M. 1947." Referred to Committee on Local Government.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Colberg in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 8 do pass. (72-22).

That House Bill No. 54 be amended by inserting a new Section 8 and renumbering Sections 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 respectfully. Section 8 to read as follows:

Section 8. (1) Any person who purchases or leases goods or services primarily for personal, family or household purposes and thereby suffers any ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of a method, act or practice declared unlawful by Section 2 of this act, may bring an action under rules of civil procedure in the district court in which the seller or lessor resides or has his principal place of business or is doing business, to recover actual damages or two hundred dollars (\$200), whichever is greater. The court may, in its discretion, award up to three (3) times the actual damages sustained and may provide such equitable relief as it deems necessary or proper.

(2) Upon commencement of any action brought under Subsection (1) of this Section, the clerk of court shall mail a copy of the complaint or initial pleading to the attorney general and, upon entry of any judgment or decree in the action, shall mail a copy of such judgment or decree to the attorney general.

(3) In any action brought under this Section, the court may award the prevailing party reasonable attorney fees incurred in prosecuting or defending the action.

(4) Any permanent injunction, judgment or order of the court made under Section 5 of this act shall be prima facie evidence in an action brought under Section 8 of this act that the respondent used or employed a method, act or practice declared unlawful by Section 2 of this act.

And, as amended, do pass. (93-5).

That House Bill No. 36 do pass. (74-25).

That Senate Bill No. 16 be amended as follows:

In the Title on page 1, line 7, after the word "of" by inserting the following new material: "not less than ninety-four (94) nor more than", and

Be further amended in the Title on page 1, line 8, after the word "of" by inserting the following new material: "not less than forty-seven (47) nor more than", and

Be further amended in Section 1, on page 1, line 12, after the words "composed of" by inserting the following new material: "not less than ninety-four (94) nor more than", and

Be further amended in Section 1, page 1, line 13, after the words "composed of" by inserting the following new material: "not less than forty-seven (47) nor more than", and

Be further amended in Section 1, page 1, line 15, after the word "into" by inserting the following new material: "not less than ninety-four (94) nor more than", and

Be further amended in Section 1, page 1, line 16, after the word "and" by inserting the following new material: "not less than forty-seven (47) nor more than", and

Be further amended by adding a new Section 2 to read as follows:

"Section 2. The commission is requested, if possible, to provide for a Senate consisting of an odd number of members."

And, as amended, be concurred in.

That the Committee rise and report and beg leave to sit again.

COLBERG, Chairman

Report adopted.

House in recess.

House resumed. Mr. Speaker in the Chair.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the House impose a five minute limitation on each speaker for all debate on a motion on Second Reading except that the person making the motion be permitted five minutes to open and five minutes to close.

Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Colberg in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 144, do pass. (79-0)

That House Bill No. 246, do pass. (88-1)

That House Bill No. 150 do pass. (83-10)

That House Bill No. 163, do pass. (87-3)

That House Bill No. 151, do pass (79-15)

That House Bill No. 165, do not pass. (70-27)

That House Bill No. 175, do pass. (90-1)

That House Bill No. 134, do pass. (88-1)

That House Bill No. 138, do pass. (73-16)

That Senate Bill No. 24, be concurred in. (77-19)

That Senate Bill No. 25, be concurred in. (73-18)

That Senate Bill No. 30, be concurred in. (97-3)

That Senate Bill No. 46, be concurred in. (70-29)

That Senate Bill No. 79, be passed for the day.

That the Committee rise and report.

COLBERG, Chairman

Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 81 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow,

Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnson, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Huennekens, Kolstad, Lockrem. Total 4.

Absent or not voting: Schye, Selstad, Turner, Warfield, Yardley. Total 5.

House Bill No. 82 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 84.

Noes: Clemow, Ellerd, Fagg, Haines, Jacobsen, Johnston, Lien, Swanberg, Yardley. Total 9.

Absent or not voting: Bardanouve, Baucus, Hubing, Kendall, Schye, Selstad, Turner. Total 7.

House Bill No. 99 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Marbut. Total 1.

Absent or not voting: Baucus, Kosena, Schye. Total 3.

House Bill No. 114 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost,



Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Burnett, Rolfe. Total 2.

Absent or not voting: Nichols, Schye. Total 2.

House Bill No. 116 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Barrett, Schye. Total 2.

House Bill No. 130 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Schye. Total 1.

House Bill No. 140 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Haines, McKittrick, Schye. Total 3.

House Bill No. 142 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett, Kolstad. Total 2.

Absent or not voting: Brown, Lundgren, Schye, Selstad, Walborn. Total 5.

House Bill No. 129 was passed by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Clemow, Cox, Cotton, East, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Yardley, Zimmer, Mr. Speaker. Total 62.

Noes. Aageson, Ainsworth, Bardanouve, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Colberg, Driscoll, Edland, Ellerd, Fleming, Flynn, Gunderson, H. Harper, Holtz, Huennekens, Kendall, Kessner, Kvaalen, Lombardi, Marbut, Murphy, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Turner, Ulmer, Walborn, Watt. Total 35.

Absent or not voting: Haines, Holmes, Schye. Total 3.

House Bill No. 105 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bardanouve, Bennetts, Brown, Burnett, Edland, Fasbender, Greely, Lockrem, Lundgren, Roberts, Swanberg, Turner. Total 12.

Absent or not voting: Regan, Schye, Shelden. Total 3.

House Bill No. 95 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner,

Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Jones, Lundgren, Rolfe, Seifert. Total 4.

Absent or not voting: Hall, Schye. Total 2.

House Bill No. 63 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasnender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Ellerd, Lien, Lockrem, Rolfe, Selstad. Total 5.

Absent or not voting: East, Schye. Total 2.

House Bill No. 29 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasnender, Fleming, Flynn, Forsgren, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Baucus, R. Harper. Total 2.

Absent or not voting: Schye, Selstad. Total 2.

House Bill No. 22 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasnender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Burnett, Clemow, Cox, East, Flynn, Hubing, Johnston, Kolstad, McKittrick, Marks, Seifert, Smith, Walborn. Total 13.

Absent or not voting: Schye. Total 1.



House Joint Resolution No. 10 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: Bardanouve, Bennetts, Castles, Colberg, H. Harper, Huennekens, Olson, Regan. Total 8.

Absent or not voting: East, Galt, Hubing, Manuel, Schye, Yardley. Total 6.

House Joint Resolution No. 11 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Nones: None.

Absent or not voting: Holtz, Schye, Selstad. Total 3.

### THIRD READING OF SENATE BILLS

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett, Hager, Olson, Tierney. Total 4.

Absent or not voting: Norman, Roberts, Schye. Total 3.

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager,



Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Brand, Hall, Kvaalen, Ulmer. Total 4.

Absent or not voting: Fagg, Schye. Total 2.

Fasbender moved that the House adjourn until 1:30 p.m., January 25, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## TWENTY-SECOND LEGISLATIVE DAY

House of Representatives

Helena, Montana

January 25, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Ellerd, Kolstad, Aageson, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 25, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 60, 104, 110, 115, 170, 210, 211, 235 and 271, beg leave to report that the same have this date been returned from the printer correctly printed.

QUILICI, Chairman

January 25, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Joint Resolution No. 8 and House Bills Nos. 36, 134, 138, 150, 151, 163 and 175.

QUILICI, Chairman

January 25, 1973

Mr. Speaker: We, your Committee on Legislative Administration report the following staff changes:

Pages terminated as of January 25, 1973

Meri Berberet  
Debbie Hodges  
Rhonda Siring  
Neal Rigg

Mike Becker  
Margaret Rehbein  
Michelle DeShazer  
John Seibert

New pages as of January 25, 1973

Nick Kosovak  
Will Headapohl  
Julie Jensen  
Sarah Jakovac

Burley Bowler  
Lois Perry  
Jean Jackson  
Jeanette Sullivan

Honorary Pages

Russ Fagg  
Bill Mercer

Perri Ann Walborn  
Russ Lockrem

EDLAND, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do pass.

GUNDERSON, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

GUNDERSON, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 do pass.

GUNDERSON, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be amended in section 1, page 1, line 15, after the words "board of" by inserting the word "public", and

Be further amended in section 1, page 1, line 17, after the words "board of" by inserting the word "public", and

Be further amended in section 1, subsection (3), page 2, line 10, after the words "board of" by inserting the word "public", and

Be further amended in section 1, subsection (4), page 2, line 13, before the word "county" by inserting the word "or", and

Be further amended in section 1, subsection (4), page 2, line 13, after the words "high school district" by striking the following material: "[or community college district]", and

Be further amended in section 1, subsection (4) (a), page 2, line 25, after the word "district", by striking the following material: "[, and section 75-8122, 75-8131 and 75-8132 in the case of community college districts]", and

Be further amended in section 1, subsection (5), page 3, line 8, after the word "by" by deleting the words "[the above]", and

Be further amended in section 1, subsection (5), page 3, line 9, after the word "revenue" by inserting the following material: "in (1), (2) and (3)", and

Be further amended in section 1, subsection (5), page 3, line 14, after the words "board of" by inserting the word "public", and

Be further amended in section 1, subsection (5), page 3, line 15, after the "(3), [and]" by deleting the "[ (4) ]", and

Be further amended in section 1, subsection (5), page 3, line 17, after the words "board of" by inserting the word "public", and

Be further amended in section 1, subsection (5), page 3, line 21, after the words "board of" by inserting the word "public", and

Be further amended in section 1, subsection (5), page 3, line 25, after the words "board of" by inserting the word "public", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 21, respectfully report as follows: That House Joint Resolution No. 21 do pass.

GREELY, Vice-Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 17, respectfully report as follows: That House Joint Resolution No. 17 be amended in the title on page 1, line 6, after the word "society" by inserting the following material "in cooperation with nationally chartered Montana veterans' organizations", and

Further amend on page 1, line 19, after the word "society" by inserting the following material "in cooperation with nationally chartered Montana veterans' organizations", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 be amended on page 2, section 1 (c), line 4, by inserting after the words "elapsed time" the words "except jail time".

And, as amended, do pass.

HALL, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 be amended on page 1, line 6, title, by deleting after the word "from" the word and comma "[taxation,]", and

Be further amended on page 1, lines 14, 15 and 16, by deleting after the numbers and comma "11-1821," the words "[which have accrued or are accruing to any person are exempt from any state, county, municipal or other local tax. Such benefits]".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be amended on page 2, section 1, lines 12 and 13, after the word "earnings" by deleting the words "[and thereby exempt]", and

Be further amended on page 2, section 1, line 13 by adding the following new material, "That the debt which is the basis of this action was (or was not, as the case may be) incurred for gasoline or for the common necessities of life, the funds levied upon are therefore exempt (or are exempt to the extent of one-half ( $\frac{1}{2}$ ) their value, as the case may be)."

And, as amended, do pass.

HALL, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 be amended on page 1, section 1, lines 9, 10 and 11 by deleting all the material following "Section 1." as follows: "[There is a new section to be numbered 82A-511, R.C.M. 1947, which reads as follows: 82A-511. Fertilizer advisory committee abolished.]", and

Be further amended on page 1, section 1, line 13 by adding after the figures and comma "3-1732," the letters, figures and comma "R.C.M. 1947,".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 be amended on page 1, section 1, lines 9, 10, 11, 12 and 13 by deleting the words, "[There is a new section to be numbered 82A-220, R.C.M. 1947, which reads as follows]: [82A-220. Advisory council on communications abolished. The advisory council on communications, provided for in section 82-3326, is abolished].", and

Be further amended on page 1, section 1, by inserting the words in lieu thereof after the word, number and period "Section 1." "Section 82-3326, R.C.M. 1947, is repealed."



And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 be amended on page 1, section 1, lines 9, 10, 11 and 12 by deleting after the word, number and period "Section 1." the words, "[There is a new section to be numbered 82A-1107, R.C.M. 1947, which reads as follows: 82A-1107. Mined land reclamation advisory committee abolished].", and

Be further amended on line 1, section 1, line 13 after the word, numbers and punctuation "section 50-1021 (11)," by inserting the letters, numbers and punctuation "R.C.M. 1947,".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 be amended on page 1, section 1, lines 12, 13 and 14 by deleting after the word, number and period "Section 1." the words, "[There is a new section to be numbered 82A-1512, R.C.M. 1947, which reads as follows: 82A-1512].", and

Be further amended on page 1, section 1, line 16 after the numbers and punctuation "76-104," by inserting the letters, numbers and punctuation "R.C.M. 1947," and

Be further amended on page 1, section 1, line 16 after the numbers and punctuation "82A-1507," by inserting the letters, numbers and punctuation "R.C.M. 1947,".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

LEE, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

LEE, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass.

LEE, Chairman

Hodges moved as a substitute motion that House Bill No. 137 be printed and placed on Second Reading.

Motion failed.

Thereupon the committee report was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanoue, Baucus, Bell, Bennetts, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Bradley, Brand, Colberg, Greely, Gunderson, Hageman, H. Harper, Hodges, Holmes, Huennekens, Laas, Roberts, Shelden, Swanberg, Towe. Total 15.

Excused: Aageson, Ellerd, Kolstad. Total 3.

Absent or not voting: Barrett, Edland, Lundgren, Schye, Staigmiller, Watt. Total 6.

January 25, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 be amended on page 1, in the title, lines 4 and 5 after the word "on" by deleting the words "[both sides]" and inserting in lieu thereof "at least one side", and

Further amend on page 1, in the title, line 5 after the word "bridges" by deleting the punctuation "[.]" and adding the punctuation and words ", enforced by the Montana Public Service Commission.", and

Further amend on page 1, section 1, lines 11 and 12 after the word "along" by deleting the words "[both sides]" and inserting in lieu thereof "at least one side", and

Further amend on page 1 by deleting the existing section 2 in its entirety and inserting in lieu thereof the following material "Section 2. Any trestles or bridges the construction of which is begun after the passage of this act shall include such walkway as a part of the construction. The railroad corporations, leasees, person, company, or corporation operating a railroad in this state shall have up to and including the first day of January, 1982 within which to construct upon existing trestles and bridges the necessary walkway.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

## MESSAGES FROM THE SENATE

January 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 72, introduced by Holtz, Gunderson, et al, was this day read third time and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 12, introduced by Moore and Lynch (by request)

Senate Bill No. 61, introduced by Groff, Mathers, McOmber

Senate Bill No. 105, introduced by James and Himsl

Senate Bill No. 107, introduced by Graham, Sorenson, et al

Senate Bill No. 110, introduced by Graham, Sorenson, et al

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 25, introduced by Tierney, R. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study into the feasibility of conducting public schools on a twelve (12) month system and to report its findings and recommendations together with any necessary legislation to the Second Session of the Forty-third Legislative Assembly. Referred to Committee on Education.

House Joint Resolution No. 26, introduced by Towe, Bennetts, Baucus, Greely, Mehrens, Turman, Bardanouve, R. Harper, Ulmer, Lucas, Marbut, Ainsworth, Holmes, Huennekens, Lockrem, Kvaalen, Cox, Glennen, Mercer, Hager, Fagg, Hodges, Gunderson, Fasbender, Yardley, Stoltz, Kimble, Smith, Burnett, Kessner, Prevost, Kendall, Hubing, Shelden, Baeth, Lundgren, Turner, Aageson, Seifert, H. Harper, Campbell, Clemow, Fleming, Laas, Bradley, Watt, Asbjornson, Nichols, Walborn, Schye, Tierney, Schepens, Roberts, Brown, Holtz, Castles, Marks, East, Edland, Jones, Jacobsen, Olson, Barrett, Bell, Hageman, Zimmer, Halvorson, Norman, Cotton: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the governor to appoint a commission to study the custodial needs of the state and to delay construction of a new facility at Montana state prison until the study is completed. Referred to Committee on Long Range Building.

House Joint Resolution No. 27, introduced by Stoltz, Gunderson, Stephens, Manuel, Bardanouve, Baeth, Hageman, Johnston, Fleming, Lien, Fas-

bender, Kendall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the President of the United States to reinstate the Rural Electrification Act two percent (2%) interest direct loan program. Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 406, introduced by Edland, Jacobsen, Lien, Murphy: A bill for an act entitled: "An act to amend Section 53-106.1, R.C.M. 1947, to provide that any motor vehicle more than thirty (30) years old may be registered as a pioneer vehicle." Referred to Committee on Highways and Transportation.

House Bill No. 407, introduced by Swanberg, Greely, Ulmer, Tierney, Kolstad, McKittrick: A bill for an act entitled: "An act amending Section 84-1504, R.C.M. 1947, relating to the computation of license tax, by adopting the federal income tax taxable year used by corporations as the taxable period for Montana corporation license tax return purposes; by providing for one (1) signature on returns instead of two (2); by providing definitions of "doing business" and "engaging in business"; by providing language to clarify the terms "gross income" and "net income"; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 408, introduced by Lien, Lund, Jacobsen, Edland, Cotton, Hageman, Glennen: A bill for an act entitled: "An act to amend Section 8-101.2, R.C.M. 1947, exempting from the Motor Carrier Act any commercial transportation movement of livestock in any motor vehicle of twenty-two (22) feet in length or less." Referred to Committee on Highways and Transportation.

House Bill No. 409, introduced by Schye, Seifert, Turman, Marbut, Holmes, Marks, Bennetts: A bill for an act entitled: "An act amending Sections 4-403, 4-407, 4-407.1, 4-408 and 4-410, R.C.M. 1947, to require new and transferred liquor licenses to be approved by the county commissioners and by the governing body of the incorporated town or city where the license is to be used in addition to the Montana Liquor Board." Referred to Committee on Judiciary.

House Bill No. 410, introduced by Marbut (by request): A bill for an act entitled: "An act to amend the law on nepotism to permit employment of a person on merit without regard to relationship; and amending Sections 59-519 and 59-520, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 411, introduced by Bradley, Greely, Lundgren: A bill for an act entitled: "An act amending Section 93-601-2, R.C.M. 1947, to include nondisclosure of any information within the protections afforded newsmen's sources of information." Referred to Committee on Judiciary.

House Bill No. 412, introduced by Marbut, Healy, Castles, Brown, Fagg, Towe, Holmes, Hall, Driscoll: A bill for an act entitled: "An act expanding duties and services of the Division of Mental Retardation of the State Department of Institutions by establishing and conducting developmental disabilities clinics and community comprehensive developmental disabilities centers; creating regional developmental disabilities boards; providing for the organization thereof; defining the duties of regional developmental disabilities boards; authorizing the participation of the Division of Mental Retardation of the State Department of Institutions in contractual or cooperative arrangements with regional developmental disabilities boards and others; providing the Division of Mental Retardation and the Regional Developmental Disabilities Boards the authority to receive gifts, grants, donations, and any other form of support and enabling counties participating in regional developmental disabilities programs to use tax moneys to finance the programs of prevention diagnosis and treatment of developmental disabilities; giving the Division of Mental Retardation of the State



Department of Institutions general supervisory power and control over all public developmental disabilities programs in the State of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 413, introduced by Marbut, Healy, Bennetts, Towe, Castles, H. Harper: A bill for an act entitled: "An act providing needed community services and facilities for the developmentally disabled within Montana; providing an appropriation; and creating the "Montana Developmental Disabilities Community Services Act of 1973." Referred to Committee on Finance and Claims.

House Bill No. 414, introduced by Lucas, Kolstad, Lockrem, Cox, Kvaalen, Ulmer, Warfield, Rolfe, Lundgren: A bill for an act entitled: "An act to allocate the state share of federal revenue sharing funds for property tax relief to Montana homeowners." Referred to Committee on Taxation.

House Bill No. 415, introduced by Lundgren: A bill for an act entitled: "An act providing for educational courses for applicants of real estate broker's and salesman's licenses; providing for continuing real estate education for brokers and salesmen; providing for the administration of this act; and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 416, introduced by Murphy: A bill for an act entitled: "An act to amend Section 23-3101, R.C.M. 1947, relating to election precincts, by providing that county commissioners may change precinct boundaries in the years in which general biennial elections are held, when such changes are required to conform to a reapportionment plan." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 417, introduced by Lucas, Johnston, Stephens, Manuel, Kvaalen, Huennekens: A bill for an act entitled: "An act authorizing the Department of Fish and Game to establish checking stations and requiring hunters and fishermen to stop at such stations and report game in their possession." Referred to Committee on Fish and Game.

House Bill No. 418, introduced by Tierney: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to change the requirement of an applicant taking an examination to practice cosmetology from a graduate of the eighth grade to a graduate of high school or possess an equivalent of a high school diploma recognized by the State Superintendent of Public Instruction." Referred to Committee on Business and Industry.

House Bill No. 419, introduced by Tierney: A bill for an act entitled: "An act amending Section 67-2206, R.C.M. 1947, by specifying that all intangible personal property of business associations unclaimed at time of final distribution is presumed abandoned." Referred to Committee on Judiciary.

House Bill No. 420, introduced by Tierney: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to specifically provide that the deductions for depreciation and obsolescence shall in all cases be determined according to the provisions of the Internal Revenue Code in effect for the taxable year; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 421, introduced by Tierney: A bill for an act entitled: "An act to amend Section 66-1503, R.C.M. 1947, to increase the Board of Pharmacists to five (5) members from three (3) members, each appointed for a five (5) year term, and to require that one member be employed at a hospital." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 422, introduced by Shelden: A bill for an act entitled: "An act amending Section 11-2702, R.C.M. 1947, to allow a city or town

governing body to extend the application of its zoning or subdivision regulations beyond its corporate limits where there is a City-County Planning Board if other prerequisites are met." Referred to Committee on Local Government.

House Bill No. 423, introduced by Towe, Marbut, R. Harper, Greely, Holmes, Glennen, Huennekens, Colberg: A bill for an act entitled: "An act providing for nonprofit organizations to establish community homes for the developmentally disabled, and providing authority to the Department of Institutions to make rules and regulations for the operation of the homes." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 424, introduced by Shelden: A bill for an act entitled: "An act amending Sections 11-3801, 11-3803, 11-3825 and 11-3842, R.C.M. 1947; to require, subject to public review, the creation of County Planning Boards; to expand the definition of "Planning Board" to include County Planning Boards; to establish a uniform mill levy ceiling for City and County Planning Boards; and eliminating certain procedural requirements for the filing of subdivision plats." Referred to Committee on Local Government.

House Bill No. 425, introduced by Selstad: A bill for an act entitled: "An act amending Section 84-1831, R.C.M. 1947, to delete liquid petroleum gases from the definition of special fuel; and amending Section 84-1832.1, R.C.M. 1947, to remove reference to liquid petroleum gas." Referred to Committee on Highways and Transportation.

House Bill No. 426, introduced by Kendall, Aageson: A bill for an act entitled: "An act to amend Section 31-129, R.C.M. 1947, permitting a driver education student to obtain an instruction permit; and providing limitations." Referred to Committee on Highways and Transportation.

House Bill No. 427, introduced by Zimmer, Castles, Halvorson, Norman: A bill for an act entitled: "An act to amend Section 71-1516, R.C.M. 1947, to include adopted children who have been defined as "hard-to-place" within eligibility requirements for medical assistance; and to provide financial assistance to the adoptive parents of "hard-to-place" children." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 428, introduced by Yardley, Gunderson, Cotton, Fasbender, Hall: A bill for an act entitled: "An act requiring counties to levy the same basic tax for foundation program support and to deposit surplus funds in the state equalization aid account; providing an increased level of state participation in the deficiency and permissive levies funding the maximum-budget-without-a-vote of elementary and secondary school districts; providing a limitation on school district budget increases; and amending Sections 75-6912, 75-6913, 75-6916, 75-6921, 75-6922 and 75-6923, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 429, introduced by Glennen, Barrett, Tierney: A bill for an act entitled: "An act to amend Section 31-120, R.C.M. 1947, providing for the classification of drivers' licenses according to the size of vehicle driven by revising the definition of operator and chauffeur." Referred to Committee on Highways and Transportation.

House Bill No. 430, introduced by Bell: A bill for an act entitled: "An act providing for the definition of the words "buy and sell"; providing that any "buy and sell" agreement consisting substantially of the transportation of persons or commodities for hire upon the public highways of the state is not a "buy and sell" agreement and is a transportation movement for hire upon the public highways of the state; amending Section 8-101, R.C.M. 1947; and providing for an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 431, introduced by Greely, McKittrick: A bill for an act entitled: "An act to amend Section 41-1304, R.C.M. 1947, by increasing

the statute of limitations for an employee to recover penalties from six (6) months to three (3) years for willful violations and two (2) years for other violations of the payment of wages provisions in Chapter 13, Title 41, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 432, introduced by Cotton: A bill for an act entitled: "An act amending Section 75-6906, R.C.M. 1947, raising the percentage of the school foundation program to the maximum-budget-without-a-vote from eighty percent (80%) to ninety percent (90%)." Referred to Committee on Education.

House Bill No. 433, introduced by Seifert, Cox: A bill for an act entitled: "An act to provide that those persons retiring under the Teachers' Retirement System between June 30, 1969, and June 30, 1971, receive the same increase in retirement allowance as those receiving a retirement allowance on June 30, 1969, received under the 1971 amendment to the retirement system law; amending Section 75-6208, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

House Bill No. 434, introduced by Glennen, Holtz: A bill for an act entitled: "An act to amend Section 8-104.5, R.C.M. 1947, providing that upon the filing of a change or revision of any rate, fare, charge, classification or rule of service by filing tariff sheet or sheets, every motor carrier must submit prepared testimony and exhibits to support such changes or revisions; providing that the complaint of any interested party may be filed with the board within thirty (30) days, and after the date of filing such changes or revisions; providing that the board may suspend the operation of such rate, fare, charge or classification for a period not to exceed one hundred eighty (180) days; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 435, introduced by Glennen, Holtz: A bill for an act entitled: "An act amending Section 8-102, R.C.M. 1947, providing that Class C carriers distributing, delivering or collecting wares, merchandise or commodities, or transporting persons, shall do so under six (6) contracts, charters, agreements or undertakings or less annually; that every Class C motor carrier providing such transportation service by means of more than six (6) contracts, charters, agreements or undertakings shall be deemed providing common carriage and shall operate under a Class B motor carrier certificate in lieu of such Class C certificate; that all Class C motor carriers must submit to this commission the names and addresses of all persons, firms, corporations or other legal entity with whom the said Class C carrier has executed a contract, agreement, or undertaking for the distribution, delivery or collection of wares merchandise or commodities, or transporting persons; and providing for an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 436, introduced by Glennen, Lien: A bill for an act entitled: "An act providing that every motor carrier may petition the commission to suspend its intrastate operating authority for a period not to exceed six (6) months; providing that an additional six (6) months' suspension may be requested and granted, but no other; that such suspension be granted upon a showing of present absence of public convenience and necessity or other showing of matters affecting motor carrier transportation; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 437, introduced by Fasbender: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to eliminate the deduction allowed for interest income derived from obligations of the State of Montana or any political subdivision or municipality thereof, and for income taxes; and providing an effective date." Referred to Committee on Taxation.



House Bill No. 438, introduced by Glennen, Barrett, Healy, Cox, R. Harper, Tierney, Hodges, Hager, Gerke, Mercer: A bill for an act entitled: "An act to provide that county attorneys in counties of the first or second class receive a salary equal to that of a district judge and be prohibited from engaging in private practice; and amending Sections 25-605 and 16-2418, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 439, introduced by Baucus, Bardanouve, Marbut, Turman, Bradley, Cotton, Gunderson, Gerke, Watt, Bennetts, Ainsworth, Haines, Norman, Kimble, Kosena, Mehrens, Lynch, Hageman, Towe: A bill for an act entitled: "An act creating the office of Montana Citizens' Advocate to provide representation of citizen problems before state agencies." Referred to Committee on State Administration.

Senate Bill No. 12, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to revise initiative and referendum administrative requirements to comply with the provisions of Article III, Sections 4 and 5 of the Montana Constitution of 1972; amending Section 37-101 through 37-105 and 37-107 through 37-109, R.C.M. 1947, and repealing Section 23-2701.1, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 61, introduced by Groff, Mathers, McOmber: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article VI, Section 10(1), of the 1972 Constitution of Montana deleting the five-day limit for gubernatorial veto." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 105, introduced by James, Himsl: A bill for an act entitled: "An act amending Section 75-6112, R.C.M. 1947, requiring school district trustees to notify the district superintendent or the county high school principal in writing of their intent to terminate his services." Referred to Committee on Education.

Senate Bill No. 107, introduced by Graham, Sorenson, Hazelbaker, Moritz: A bill for an act entitled: "An act amending Section 53-626, R.C.M. 1947, relating to exemptions from additional truck, trailer, and bus fees; providing that all vehicles lawfully displaying a licensed dealer's plate as provided in Section 53-122, R.C.M. 1947, and having a gross laden weight of less than twenty-four thousand (24,000) pounds, shall be exempt while in the process of demonstration in the course of the dealer's business." Referred to Committee on Highways and Transportation.

Senate Bill No. 110, introduced by Graham, Sorenson, Hazelbaker, Moritz: A bill for an act entitled: "An act amending Section 32-3201, R.C.M. 1947, relating to additional truck, trailer, and bus fees; providing that with respect to vehicles operating on the highways with a current rear windshield sticker issued under the provisions of Sections 53-109.1 and 53-109.2, R.C.M. 1947, such fees shall be due and payable at the time of registration of the vehicle." Referred to Committee on Highways and Transportation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, under the rules of the previous sitting, for the consideration of business on Second Reading.

Motion carried.

Selstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:



That Senate Bill No. 79 be passed for the day.

That Senate Bill No. 33 be concurred in (90-0).

That House Bill No. 9 do pass (89-0).

That House Bill No. 86 do pass (90-8).

That House Bill No. 100 do pass (96-0).

That House Bill No. 118 be amended on page 1, section 1, line 20, after the words "[municipality] shall", by deleting the word "[have]" and inserting in lieu thereof the word "be". (83-0).

And, as amended, do pass (93-0).

That House Bill No. 106 do pass (74-14).

That House Bill No. 195 do not pass (49-43).

That House Bill No. 219 do pass (85-4).

That Senate amendments to House Bill No. 72 be concurred in (84-9).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

SELSTAD, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 7 was passed by the following vote:

Ayes: Baeth, Bardanouve, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Zimmer. Total 61.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Hager, Haines, H. Harper, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Olson, Rolfe, Selstad, Smith, Ulmer, Walborn, Warfield. Total 33.

Paired: Fasbender, aye; Ellerd, no.

Excused: Aageson, Kolstad. Total 2.

Absent or not voting: Baucus, Glennen, Schye, Mr. Speaker. Total 4.

House Bill No. 89 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe,

Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Greely. Total 1.

Excused: Aageson, Ellerd, Kolstad. Total 3.

Absent or not voting: Baucus. Total 1.

House Bill No. 19 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Aageson, Kolstad. Total 2.

Paired: Barrett, aye; Kolstad, no; Cox, aye; Aageson, no.

Excused: Ellerd. Total 1.

Absent or not voting: Baucus. Total 1.

House Bill No. 91 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: Jones, Seifert, Ulmer, Walborn, Zimmer. Total 5.

Paired: Ellerd, aye; Jones, no.

Excused: Aageson, Kolstad. Total 2.

Absent or not voting: None.

House Bill No. 101 was passed by the following vote:

Ayes: Aageson, Bardanouve, Baucus, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, McKittrick, Manuel, Marbut, Mehrens, Murphy, Nichols, Norman, Quilici, Regan, Seifert, Selstad, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 59.

Noes: Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Campbell, Colberg, Cotton, Cox, East, Galt, Greely, Hager, Halvorson, Holtz, Hubing, Johnston, Jones, Kendall, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Lynch, Marks, Menahan, Mercer, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Turner, Walborn, Zimmer. Total 40.

Paired: Aageson, aye; Cox, no; Kolstad, aye; Bell, no.

Excused: Ellerd. Total 1.

Absent or not voting: None.

House Bill No. 107 was passed by the following vote:

Ayes: Aageson, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Cox, East, Forsgren, Hubing, Jones, Lockrem, Olson, Prevost, Rolfe, Schye, Smith, Staigmilller, Turner, Walborn. Total 19.

Paired: Aageson, aye; Forsgren, no; Ellerd, aye; Lockrem, no.

Excused: Kolstad. Total 1.

Absent or not voting: Edland, Kendall. Total 2.

House Bill No. 135 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Hodges, Holmes, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Regan, Roberts, Shelden, Stephens, Stoltz, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, Ainsworth, Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Galt, Glennen, Hager, Haines, H. Harper, Healy, Holtz, Hubing, Huennekens, Jones, Kessner, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mercer, Nichols, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Swanberg, Tierney, Turner, Ulmer, Walborn, Zimmer. Total 49.

Paired: Marbut, aye; Aageson, no; Fagg, aye; Kolstad, no.

Excused: Ellerd. Total 1.

Absent or not voting: None.

House Bill No. 139 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mer-

cer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Walborn. Total 1.

Excused: Aageson, Ellerd, Kolstad. Total 3.

Absent or not voting: Hager. Total 1.

### THIRD READING OF SENATE BILLS

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Colberg, Cox, Driscoll, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Hodges, Holmes, Huennekens, Kimble, Kvaalen, Laas, Lee, Lucas, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 55.

Noes: Aageson, Asbjornson, Bardanouve, Barrett, Brand, Campbell, Clemow, Cotton, East, Edland, Flynn, Galt, Haines, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mehrens, Menahan, Norman, Olson, Roberts, Schye, Seifert, Shelden, Smith, Swanberg, Turner, Walborn, Mr. Speaker. Total 44.

Paired: Murphy, aye; Kolstad, no; Fasbender, aye; Aageson, no.

Excused: Ellerd. Total 1.

Absent or not voting: None.

Senate Bill No. 24 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mercer, Nichols, Norman, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Barrett, Bennetts, Brand, Burnett, Colberg, East, Forsgren, Gunderson, Lien, Lockrem, Lombardi, Lynch, Mehrens, Menahan, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Turner, Walborn. Total 25.

Paired: Aageson, aye; Lockrem, no; Kolstad, aye; Burnett, no.

Excused: Ellerd. Total 1.

Absent or not voting: Asbjornson, Laas, Murphy. Total 3.

Senate Bill No. 25 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch,



McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Barrett, Bennetts, Brand, Burnett, Clemow, Colberg, Forsgren, Gunderson, Hodges, Lockrem, Lombardi, Olson, Rolfe, Seifert, Selstad, Smith, Turner, Walborn. Total 18.

Paired: Kolstad, aye; Burnett, no; Aageson, aye; Lockrem, no.

Excused: Ellerd. Total 1.

Absent or not voting: None.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: Tierney. Total 1.

Paired: Aageson, aye; Tierney, no.

Excused: Ellerd, Kolstad. Total 2.

Absent or not voting: None.

Senate Bill No. 46 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 71.

Noes: Burnett, Clemow, Colberg, East, Fagg, Galt, Hall, Holtz, Hubing, Jones, Kvaalen, Lee, Lombardi, Lynch, McKittrick, Marks, Mehrens, Olson, Regan, Rolfe, Schye, Smith, Swanberg, Tierney, Mr. Speaker. Total 25.

Paired: Aageson aye; Kvaalen, no; Kolstad, aye; McKittrick, no.

Excused: Ellerd. Total 1.

Absent or not voting: Hodges, Holmes, Selstad. Total 3.

Fasbender moved that House Joint Resolution No. 6 be taken from Third Reading and be rereferred to Committee on Constitution, Elections and Federal Relations. Motion carried.

#### MOTIONS AND RESOLUTIONS

Schye moved that House Bill No. 368 be taken from Committee on Business and Industry and be rereferred to Committee on Local Govern-

ment, and that House Bill No. 409 be taken from Committee on Judiciary and be rereferred to Committee on Local Government.

Motion carried.

Kosena moved that House Bill No. 26 be taken from Printing and be rereferred to Committee on Local Government.

Motion carried.

McKittrick moved that House Bill No. 243 be taken from Committee on Labor Employment Relations and be rereferred to Committee on State Administration.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 26, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker.

ED SMITH, Chief Clerk

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TWENTY-THIRD LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
January 26, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Lundgren, Ellerd, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 22nd Legislative Day, find the same to be correct.

QUILICI, Chairman

January 26, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 17, 143, 147, 190, 273 and 283 and House Joint Resolution No. 21.

QUILICI, Chairman

January 26, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 9, 86, 100, 106, 144, 219, and 246.

QUILICI, Chairman

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

KOSENA, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do pass.

KOSENSA, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

Be amended in the Title on page 1, line 6, after the word "amend" by adding an "s" to the word "Section", and

Further amended in the Title, page 1, line 7, after "16-2501," by adding Sections "16-2502, 16-2503, 16-2505 and 16-2507," and

Be further amended on page 2, following Section 1, line 17, by inserting the following new Section 2:

"Section 2. There is a new Section to be numbered 16-2501.1, R.C.M. 1947, which reads as follows:

"16-2501.1. Initiation of consolidation by county commissioners procedure. The board or boards of county commissioners may initiate the consolidation of county offices under the procedure set forth in this act. Any board or boards of county commissioners desiring to consolidate any two or more offices or any two or more offices among several counties under the provisions of this chapter shall first pass a resolution stating the intent of the board or boards of county commissioners to consider consolidation.", and

Be further amended on page 2, following the new Section 2 above, by adding a new Section 3, as follows:

"Section 3. Section 16-2502, R.C.M. 1947, is amended to read as follows:

"16-2502. Examination of petition—petition and consolidation by county commissioners—hearing and notice. Upon the filing of any such petition the board or boards of county commissioners shall cause the county clerk or clerks to forthwith examine the same and the registration records of the county and if, after such examination, such county clerk or clerks shall report to said board or boards of county commissioners that such petition or petitions has been signed by [at least] not less than twenty-five per centum (25%) of the qualified electors of the county whose names appear on such registration records. said board or boards shall set a date for a hearing [such petition, which said] to consider said consolidation. Upon the passage of the resolution of intent by the board or boards of county commissioners proper notice and a date shall be set for a hearing to consider said consolidation. The date for the hearing shall be not more than twenty days after the filing of such petition [and the] or the passage of the resolution of intent. The county clerk or clerks shall cause notice of such hearing to be published one time in the official newspaper of the county, which publication must be at least ten days before the date set for said hearing, and if there be no newspaper of general circulation printed and published in said county, then such notice must be posted by the county clerk or clerks, at least ten days before the date set for such hearing, in three public places in the county or counties. Said notice shall either contain a copy of said petition, with the signatures omitted, or a copy of the resolution of intent passed by the board or boards of county commissioners, and shall state the time and place fixed for hearing the same, and that on such hearing any taxpayer of the county may appear and be heard in support of or in opposition to said notice.", and

Be further amended on page 3, Section 3, line 12, after the word "offices" by inserting "as they shall deem proper", and

Be further amended on page 3, Section 4, line 23, after the words "for a period of" by deleting "[six]" and inserting in lieu thereof "two", and

Further amended any and all Sections to conform numerically.

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 be amended as follows:

Amend House Bill No. 256 by inserting the following language on line 16, page 1, Section 1, following the word "counties."

"For the purposes of this act, the maximum annual salary established may not exceed fifteen percent (15%) above the schedule in Section 25-605, R.C.M. 1947, for the salaries of other officials."

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do pass.

KOSENA, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 be amended as follows:

Amend on page 2, Section 2, line 19, by striking the word "sixty" and inserting in lieu thereof the word "forty" and

Further amend on page 2, Section 2, line 19, by striking the figure "\$60,000" and inserting in lieu thereof the figure "\$40,000", and

Further amend on page 3, Section 2, line 2, after the word "lines" by placing a "period", and

Further amend by striking all material after the word "lines".

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do pass.

KOSENA, Chairman

Report adopted.



January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

KOSENA, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be amended as follows:

Amend on page 1, Section 1, line 17, by striking the word "[shall]" and inserting in lieu thereof the word "may".

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 26, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do pass.

WATT, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do pass.

McKITTRICK, Chairman

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

January 25, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 388, introduced by McKeon and Lynch, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Very truly yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 25, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution was this day read three several times and passed, title and history agreed to and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 6, introduced by Lynch & Moore (by request)

Senate Bill No. 23, introduced by Moore & Lynch (by request)

Senate Bill No. 90, introduced by McDonald & Mathers

Senate Bill No. 148, introduced by Carl, Siderius, et al

Senate Bill No. 161, introduced by Carl, Siderius, et al

Senate Bill No. 167, introduced by Manning

Senate Bill No. 174, introduced by Hazelbaker & Lynch

Senate Joint Resolution No. 10, introduced by Lowe & Mathers

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 25, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 41 was read three several times and concurred in, title and history agreed to and the bill is herewith returned to the House.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Swanberg moved that Senate Bill No. 36 and Senate Bill No. 42 be taken from Second Reading and be rereferred to Committee on Public Health, Welfare and Safety.

As a substitute motion Hall moved that the question of Senate Bill No. 36 and Senate Bill No. 42 be divided.

Motion carried.

Hall requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose, and the motion of Swanberg to rerefer Senate Bill No. 36 to Committee passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Gerke, Greely, Hager, Haines, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Menahan, Mercer, Nichols, Norman, Olson, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield. Total 67.

Noes: Baeth, Burnett, Colberg, Cox, Fasbender, Glennen, Gunderson, Hageman, Hall, Halvorson, H. Harper, Hodges, Holmes, Huennekens, Kendall, Marbut, Mehrens, Murphy, Prevost, Regan, Roberts, Staigmiller, Stephens, Stoltz, Tierney, Turman, Watt, Yardley, Zimmer. Total 29.

Absent or not voting: Kosena, Shelden. Total 2.

Excused: Ellerd, Lundgren. Total 2.

The motion of Swanberg to rerefer Senate Bill No. 42 to Committee passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Gerke, Hageman, Hager, Haines, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt. Total 71.

Noes: Baeth, Burnett, Colberg, Cox, Edland, Glennen, Greely, Gunder-son, Hall, Halvorson, R. Harper, Hodges, Holmes, Huennekens, Kendall, Mehrens, Murphy, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Yardley, Zimmer. Total 26.

Absent or not voting: Kosena. Total 1.

Excused: Ellerd, Lundgren. Total 2.

Halvorson, having voted on the prevailing side in killing House Bill No. 195 on Second Reading on the previous day, moved that the House reconsider its action.

Motion carried.

Marks moved that House Bill No. 195 be rereferred back to Committee on Education.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Resolution No. 6, introduced by Huennekens, Johnston: A Resolution of the House of Representatives of the State of Montana requesting the United States Senate and the United States House of Representatives to implement fully by statute the multiple use concept on federal lands. Referred to Committee on Natural Resources.

House Joint Resolution No. 28, introduced by R. Harper, Tierney, Stephens, Hodges, Lynch, Watt, Fleming, Prevost, Towe, Norman, Gunder-son, Greely, Johnston, Turman, Olson, Fagg: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Board of Hearing Aid Dispensers study the advisability of requiring that sales of hearing aids be on the recommendation of a certified physician or an audiologist. Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 29, introduced by Bell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Montana Legislative Council to study the impact of all federal lands on the State of Montana and all the counties of the State. Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 30, introduced by Johnston, Norman, Huennekens, Forsgren, Barrett, Edland: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging Montana school boards to grant a preference to teachers educated in Montana and encouraging the boards to employ them whenever possible. Referred to Committee on Education.

House Bill No. 440, introduced by Lee (by request): A bill for an act entitled: "An act relating to the Board of Electricians; amending Section 66-2804, R.C.M. 1947, increasing the number of members of said board, increasing their terms of office and changing the manner of their selection." Referred to Committee on State Administration.

House Bill No. 441, introduced by Lee (by request): A bill for an act entitled: "An act relating to the Electrical Safety Act; amending Section 66-2812, R.C.M. 1947, relating to exemptions of coverage of the act pertaining to electrical utility companies, individuals doing electrical work on their own premises and cities' signal and communications equipment." Referred to Committee on Business and Industry.

House Bill No. 442, introduced by Forsgren, Mehrens, Marks, Gunderson: A bill for an act entitled: "An act to provide procedures for fire drills in schools; and repealing Section 75-8308, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 443, introduced by Baucus: A bill for an act entitled: "An act granting free tuition in state-supported schools to children of prisoners of war or military personnel listed as missing in action." Referred to Committee on Education.

House Bill No. 444, introduced by Swanberg, McKittrick, Lynch: A bill for an act entitled: "An act to amend Section 41-701, R.C.M. 1947, by including services in public labor for which Montana residents are to be preferred." Referred to Committee on Labor and Employment Relations.

House Bill No. 445, introduced by Kimble, Hodges, Bennetts: A bill for an act entitled: "An act to make unlawful the discharge of an employee without just cause or to discriminate against an employee because he has made complaint or instituted a proceeding under the law." Referred to Committee on Labor and Employment Relations.

House Bill No. 446, introduced by R. Harper, Greely, Bell, Castles, Baucus, Hall, Yardley, Fasnender, Swanberg, Kimble, Gunderson, Tierney, Cox, Towe, Glennen, McKittrick: A bill for an act entitled: "An act to permit counties within a judicial district to create the office of district attorney in lieu of county attorneys." Referred to Committee on Judiciary.

House Bill No. 447, introduced by R. Harper, Greely, Haines, Gunderson, Cox, Lucas, Clemow, Bell, Hodges, Staigmiller, Tierney, Bennetts, Bradley, Kendall, Turman, H. Harper, Murphy, Lynch, Brand, Marbut, Schepens, Prevost, Castles, Campbell, Marks, Hall, Yardley, McKittrick, Fasnender, Norman, Baucus, Kimble: A bill for an act entitled: "An act amending Sections 68-708, 68-801, 68-901, and 68-902, R.C.M. 1947, relating to the Public Employees Retirement System to provide for retirement of a member upon completion of thirty (30) years or more of service without regard to age; payment after July 1, 1974, of accrued interest upon withdrawal of a member's contributions; qualification of military service for calculating retirement benefits; a cost-of-living adjustment for retired members; and deletion of the money purchase method of calculating retirement benefits as to a person becoming a member after July 1, 1973." Referred to Committee on State Administration.

House Bill No. 448, introduced by Fagg, Smith, Walborn, Galt, Schye, Hager, Lien, Swanberg, Staigmiller: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, to establish livestock in feed lots as a new class for the purpose of property taxation; and to provide a percentage of full and true value as the basis for the taxation." Referred to Committee on Taxation.

House Bill No. 449, introduced by Edland, Tierney: A bill for an act entitled: "An act reorganizing the Department of Agriculture; amending Section 82A-302, 82A-303, 82A-402, 82A-403, 82A-406, 82A-2103, R.C.M. 1947, and repealing Sections 82A-1301 through 82A-1304, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 450, introduced by McKittrick, Swanberg: A bill for an act entitled: "An act to amend Section 41-1301, R.C.M. 1947, excluding contributions to tax exempt trust from definition of wages." Referred to Committee on Labor and Employment Relations.

House Bill No. 451, introduced by Turman, Greely, Marbut, Bennetts: A bill for an act entitled: "An act to amend Sections 54-129, 54-133 and 54-138, R.C.M. 1947, to remove marijuana from definition of dangerous drugs; and to provide penalties for criminal possession and sale of marijuana." Referred to Committee on Judiciary.



House Bill No. 452, introduced by Johnston, Stephens, Huennekens, Hager, Kvaalen: A bill for an act entitled: "An act to provide for the establishment of a license fee for issuance of special licenses by State Fish and Game Commission in the absence of other license fees prescribed by law; and amending Section 26-202.2, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 453, introduced by Marbut, McKittrick: A bill for an act entitled: "An act to revise and codify the law relating to the adoption of adults or of minors; to discourage black market adoptions; to provide for investigations and standards in passing a petition for adoption; to provide for the effect of adoption decrees; to repeal Sections 61-139, 61-140, 61-201 through 61-218; and to amend Section 69-4420, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 454, introduced by Yardley, Hall, Lucas, Cox, Glennen: A bill for an act entitled: "An act amending Section 4-240, R.C.M. 1947; providing a four percent (4%) tax on wine with proceeds to be used for the Police Pension and Sheriffs' Pension Funds." Referred to Committee on Taxation.

House Bill No. 455, introduced by Gerke: A bill for an act entitled: "An act to amend Sections 79-410 and 79-415, R.C.M. 1947, to modify revolving fund appropriation restrictions." Referred to Committee on Business and Industry.

House Bill No. 456, introduced by Lee (by request): A bill for an act entitled: "An act relating to the Electrical Safety Law; and amending Section 66-2802, R.C.M. 1947, relating to the purpose of the act to establish the National Electrical Code as a minimum approved safety standard to provide procedures for establishing standards more stringent than the National Electrical Code." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 457, introduced by Bennetts, Jacobsen, Marbut, Seifert: A bill for an act entitled: "An act to appropriate money to the Department of Social and Rehabilitation Services for the construction and operation of a multi-purpose orientation center for the adult blind in Montana by the Visual Services Division." Referred to Committee on Finance and Claims.

House Bill No. 458, introduced by Norman, Baucus, Quilici: A bill for an act entitled: "An act relating to the Workmen's Compensation Act; amending Section 92-418, R.C.M. 1947, relating to the definition of "injury" or "injured" to provide for broadened coverage for firemen; and providing for an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 459, introduced by Marks, Halvorson: A bill for an act entitled: "An act to change the name of the Department of Law Enforcement and Public Safety to the Department of Justice; amending Sections 82A-104, 82A-202, 82A-703, 82A-802, 82A-803, 82A-1201, 82A-1202, 82A-1203, 82A-1205, 82A-1602 and 82A-1605, R.C.M. 1947; adding a new Section; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 460, introduced by Cox, Lucas, Kvaalen, Nichols, Glennen, Lund, Warfield: A bill for an act entitled: "An act to create revenue from the levy of a severance tax on coal for the purpose of support of county government, the Department of Lands, the Environmental Quality Council, and the Department of Natural Resources, and for the development of parks and recreation; repealing Section 84-1302, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 461, introduced by Baucus, Haines, Ainsworth, Hodges, Turman, Greely, McKittrick, Schye, Murphy: A bill for an act entitled: "An act to provide for creation of joint tenancies with right of survivor-

ship and subsequent transfer of property in the tenancy at the death of a spouse without court intervention." Referred to Committee on Judiciary.

Senate Joint Resolution No. 10, introduced by Lowe, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the President to rescind Executive Order No. 11643, "Environmental safeguards on activities for animal damage control on federal lands," and asking the Environmental Protection Agency to lift its restrictions on the interstate movement of certain chemical toxicants designated for use in predator animal control." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 6, introduced by Lynch, Moore: A bill for an act entitled: "An act to implement Article II, Section 18, concerning sovereign immunity by providing availability of insurance coverage for governmental entities; amending Section 87-701, R.C.M. 1947; repealing Section 83-706, R.C.M. 1947; and providing for an effective date." Referred to Committee on Judiciary.

Senate Bill No. 23, introduced by Moore, Lynch: A bill for an act entitled: "An act providing for the minimum number of justices of the peace, their compensation, qualifications, terms of office, training and designation as county officers; providing for the collection of fees by justices and improvement of their facilities; abolishing fees in criminal actions; and deleting references to townships; all to comply with Article VII, Sections 5 and 7 of the 1972 Montana Constitution; amending Sections 11-727, 16-2403, 16-2404, 16-2406, 25-307, 93-401 through 93-403, 93-405, 93-704, 93-1602, 93-6601, 93-6602, 93-6706, 93-6903, 93-7302, 93-7311, 93-7402, 93-7605, 93-7607, 93-7704, 93-7709, 93-9705, R.C.M. 1947; and repealing Sections 25-303, 25-305 and 25-306, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 90, introduced by McDonald, Mathers: A bill for an act entitled: "An act to amend Section 46-2508, R.C.M. 1947, to require the examination be given to an applicant employed by or trained by an approved breeding service firm within ten (10) days upon request; and to amend Section 46-2515, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 148, introduced by Carl, Siderius, Northey, Flynn: A bill for an act entitled: "An act amending Section 27-614, R.C.M. 1947, relating to license fees for food purveyors." Referred to Committee on Business and Industry.

Senate Bill No. 161, introduced by Carl, Story, James, Devine, Rosell: A bill for an act entitled: "An act to centralize review of school construction plans in the Department of Administration." Referred to Committee on State Administration.

Senate Bill No. 167, introduced by Manning: A bill for an act entitled: "An act appropriating eight thousand six hundred twenty-one dollars and forty-two cents (\$8,621.42) to the Treasurer of Treasure County to rectify an inadvertent overpayment from the county to the state. Referred to Committee on Finance and Claims.

Senate Bill No. 174, introduced by Hazelbaker, Lynch: A bill for an act entitled: "An act amending Section 40-3649, R.C.M. 1947, by providing an annual fee for a license to act as a rating organization." Referred to Committee on Business and Industry.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Shelden in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 79 be passed for the day.

That House Bill No. 104 do pass. (94-0)

That House Bill No. 110 do pass. (85-8)

That House Bill No. 115 do pass. (93-0)

That House Bill No. 170 do pass. (91-0)

That House Bill No. 210 do pass. (84-11)

That House Bill No. 211 do pass. (74-21)

That House Bill No. 235 do pass. (93-0)

That House Bill No. 271 do pass. (95-0)

That House Bill No. 60 do pass. (71-21)

That House Bill No. 112 be amended in Section 1, Subsection 3, page 2, line 5 of the second reading bill by striking the words "an old", and substituting the word "a",

And further amend on line 8 by deleting the words "[or any vehicle]" and substituting after the word "material" the following "and in either case",

And further amend on line 10, after the word "driven" by deleting the "[period]" and adding the following words "excluding antique vehicles".

And, as amended, do pass (83-14)

That the Committee rise and report.

SHELDEN, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.



Noes: None.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Edland, Norman. Total 2.

Senate Amendment to House Bill No. 72 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Fasbender, Lockrem, Prevost, Towe. Total 4.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Bradley, Lund, Norman. Total 3.

### THIRD READING OF HOUSE BILLS

House Joint Resolution No. 8 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Haines, Hall, Halvorson, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Staigmiller, Tierney, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Ainsworth, Baucus, Bennetts, Bradley, Castles, Colberg, Fagg, Fasbender, Gunderson, Hageman, Hager, R. Harper, Hodges, Huennekens, Kendall, Roberts, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turner, Walborn. Total 25.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Holmes, Norman, Warfield. Total 3.

House Bill No. 36 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 73.

Noes: Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Clemow, East, Ellerd, Fagg, Galt, Hager, Holtz, Hubing, Johnston, Jones, Lund, Manuel, Marks, Olson, Rolfe, Smith, Turner, Walborn, Mr. Speaker. Total 25.



Paired: Ellerd, Nay; Lockrem, Aye.

Excused: Lundgren. Total 1.

Absent or not voting: Norman. Total 1.

House Bill No. 134 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Haines, Mehrens, Norman, Stephens. Total 4.

House Bill No. 138 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Brand, Hall, R. Harper, Lee, McKittrick, Mehrens, Menahan, Rolfe, Towe, Yardley, Zimmer. Total 11.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Baucus, Norman. Total 2.

House Bill No. 150 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Brand, Driscoll, Gunderson, Hubing, Kessner, Kvaalen, Laas, Marks, Mehrens, Smith, Stephens, Walborn, Zimmer. Total 13.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: East, Norman, Selstad. Total 3.

House Bill No. 151 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Campbell, Castles, Clemow, Cotton, Cox, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Schepens, Schye, Staigmiller, Stoltz, Swanberg, Turman, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 67.

Noes: Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Driscoll, East, Greely, H. Harper, R. Harper, Holmes, Kendall, Kolstad, Kvaalen, Lucas, Marbut, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Stephens, Tierney, Towe, Ulmer, Watt, Zimmer. Total 30.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Norman. Total 1.

House Bill No. 163 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Bennetts, Smith, Walborn. Total 3.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Norman, Towe. Total 2.

House Bill No. 175 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Mercer. Total 1.

Excused: Ellerd, Lundgren. Total 2.

Absent or not voting: Bradley, Forsgren, Kimble, Lund, Norman, Towe. Total 6.

Fasbender moved that the House adjourn until 10:00 a.m., January 27, 1973.

Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk

## TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

January 27, 1973

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker, in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Lee, Roberts, Ellerd, and Lundgren, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 60, 104, 110, 115 and 170.

QUILICI, Chairman

January 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 192, 193, 236, 257, and 324.

QUILICI, Chairman

January 26, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 be amended on page 1, in the title, line 6 after the word "OFFICE" by inserting the word "A", and

Further amend on page 1, in the title, line 6 after the word "ABSENCE" by deleting the following material "[OF NOT MORE THAN ONE HUNDRED EIGHTY (180) CALENDAR DAYS WHILE ENGAGED IN SUCH SERVICE,]" and

Further amend on page 1, in the title, line 8 after the word "TO" by deleting the words and punctuation "[RETURN TO WORK, UNLESS PHYSICALLY UNABLE]," and inserting in lieu thereof the following words "MAKE ARRANGEMENTS", and

Further amend on page 1, in the title, line 9 after the word "WITHIN" by deleting the word, figure and punctuation "[THIRTY (30)] and inserting in lieu thereof the following word, figure and punctuation "TEN(10)", and

Further amend on page 1, in the title, line 9 after the word "DAYS" by inserting the words "TO RETURN TO WORK", and further amend on page 1, in the title, line 10 after the word "SERVICE" by deleting the following words "[OR LOSE THEIR SENIORITY]", and

Further amend on page 1, section 1, line 18 after the word "service" by deleting the following material "[, provided that such service shall not require the employee to be absent from work more than one hundred eighty (180) days out of any calendar year]", and

Further amend on page 1, section 1, line 21 after the word "must" by deleting the following words "[return to work]" and inserting in lieu thereof the words "make arrangements",

And further amend on page 1, section 1, line 22 after the word "within" by deleting the word, punctuation and figure "[thirty (30)]" and inserting in lieu thereof the word, punctuation and figure "ten (10)", and also on line 22 after the word "days" by inserting the words "to return to work", and

Further amend on page 1, section 1, line 23 after the word "service" by deleting the words "[in the job or office]", and

Further amend on page 1, section 1, line 24 after the word "granted" by deleting the following material "[, otherwise their seniority will be terminated, unless they are unable to do so because of illness or disabling injury certified to by a registered physician]", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Cotton, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmler, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Baeth, Bardanouve, Bennetts, Brand, Mehrens, Menahan, Shelden. Total 7.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Ainsworth, Cox, Hall, Marks, Stephens, Watt. Total 6.

January 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do not pass.

MEHRENS, Chairman



Haines moved as a substitute motion that House Bill No. 212 do pass. Roll call vote was requested with the ayes and nays spread on the Journal. Sufficient seconds arose.

A substitute motion by Fasbender for all motions pending, moved that House Bill No. 212 be rereferred to Committee on Taxation.

Motion carried.

January 19, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be concurred in.

WATT, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

WATT, Chairman

Report adopted.

January 13, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

WATT, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do pass.

WATT, Chairman

Report adopted.

January 19, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

WATT, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 be amended on page 3, section 1, subsection (3), line 8, after the word "the" by striking the words "[low bid]" and inserting in lieu thereof the words "lowest qualified bid", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22 do pass.

BRAND, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 do pass.

BRAND, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 388, respectfully report as follows: That Senate Bill No. 388 be not concurred in.

BRAND, Chairman

Baucus moved as a substitute motion that Senate Bill No. 388 be concurred in.

Motion failed.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Bell, Brand, Burnett, Castles, Clemow, Cotton, Cox, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lockrem, Lucas, Lund, Manuel, Marks, Mercer, Nichols, Prevost, Rolfe, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 59.

Noes: Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Colberg, Driscoll, Fasbender, Greeley, R. Harper, Healy, Holmes, Kimble, Kosena, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Seifert, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley. Total 33.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Gunderson, Lien, Olson, Schepens. Total 4.

#### MESSAGES FROM THE SENATE

January 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 16, and requests the House to appoint a Conference Committee to confer with a like committee from the Senate on said amendments.

The President of the Senate appointed the following:

Senator Graham, Chairman

Senator Groff

Senator Turnage

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

House Amendment to Senate Bill No. 64 was concurred in by third reading vote this day.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 74, introduced by Bollinger, Goodheart and Hazelbaker

Senate Bill No. 17, introduced by Moore and Lynch (by request)

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Fasbender moved that a conference committee be appointed by the Speaker to confer with a like committee from the Senate on House Amendments to Senate Bill No. 16.

Motion carried.

The Speaker appointed the following: Healy, Chairman; Lien and Clemow.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 7, introduced by Tierney, Swanberg, Watt: A resolution of the House of Representatives of the State of Montana requesting the House Taxation Committee to conduct a comprehensive study of the tax structure in the State of Montana and to report its findings and recommendations to the 1974 session of the Forty-third Legislative Assembly. Referred to Committee on Taxation.

House Joint Resolution No. 31, introduced by Bardanoue, Kosena, Menahan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Fish and Game to review water resource projects to determine outdoor recreational potential prior to sale or disposition of the projects by the Department of Natural Resources and Conservation. Referred to Committee on Fish and Game.

House Joint Resolution No. 32, introduced by Bardanoue, Nichols: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the office of state treasurer. Referred to Committee on State Administration.

House Joint Resolution No. 33, introduced by Lien, Edland, Stoltz, Johnston, Huennekens, Staigmiller, Schepens, Seifert, Lund, Smith, Hubing: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the environmental quality council to study reclamation of abandoned oil and natural gas fields and locations. Referred to Committee on Natural Resources.

House Joint Resolution No. 34, introduced by Colberg: A Joint Resolution of the Senate and the House of Representatives of the State of

Montana directing the Legislative Council to study the results of the Oregon Bottle Act and the Washington Litter Act. Referred to Committee on Natural Resources.

House Bill No. 462, introduced by Edland, Fagg: A bill for an act entitled: "An act requiring the registration of certain aircraft and imposing a license tax thereon in lieu of all other taxes." Referred to Committee on Taxation.

House Bill No. 463, introduced by H. Harper, Greely, Gunderson, Bradley, Swanberg, Huennekens, Bennetts, Castles, Turman, Shelden: A bill for an act entitled: "An act providing for abortion in the State of Montana and further providing the conditions under which an abortion may be performed; providing penalties; and repealing Sections 94-401 and 94-402, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 464, introduced by Kessner: A bill for an act entitled: "An act to authorize the use of physician's trained mobile intensive care paramedics under certain conditions; to provide for immunity from civil liability under emergency conditions and to require the Board of Medical Examiners to establish rules and regulations for the use of physician's trained mobile intensive care paramedics." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 465, introduced by Baucus, Norman, Bennetts, Driscoll: A bill for an act entitled: "An act to amend Sections 69-5001, 69-5002, 69-5003 and 69-5005, R.C.M. 1947, by broadening the statement of public policy to include air pollution prevention, solid waste disposal and to refer to quality of water for all uses; revising the definition of subdivision; adding other definitions; revising the provisions for making rules and standards; requiring approval of subdivision plats and plans and specifications by Local Planning Board and Department of Health before filing with County Clerk and Recorder; providing for referral and review of proposed subdivisions by appropriate agencies; providing for enforcement proceedings and hearings on alleged violations; providing remedies and sanctions relating to violations; providing for use of records and cooperation of other agencies; and providing for effect of invalidity of part of act." Referred to Committee on Local Government.

House Bill No. 466, introduced by Marks, H. Harper, Cotton, Gunderson, Castles, Bell: A bill for an act entitled: "An act amending Sections 75-6317, 75-7201 and 75-7202, R.C.M. 1947, to repeal the elementary and high school tuition schedules; and to establish the annual calculation of a high school district's tuition rate on the basis of actual expenditures." Referred to Committee on Education.

House Bill No. 467, introduced by Swanberg, Haines, Ulmer, Greely: A bill for an act entitled: "An act to be known as the "Montana Kitchen and Table Wine Act"; providing for wholesaling of kitchen and table wine and the retail sale thereof by licensees; providing a state tax on such wine; requiring registration of labels; and regulating the importation, distribution, and sale of such wine." Referred to Committee on Taxation.

House Bill No. 468, introduced by Gunderson, Clemow, Galt, Manuel: A bill for an act entitled: "An act to regulate the manufacture, distribution and use of commercial feed in the State of Montana by requiring registration with fee of products and facilities; setting inspection fees and establishing the method of collection; and repealing Sections 3-2012 through 3-2024, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 469, introduced by Greely, Swanberg, Regan: A bill for an act entitled: "An act to regulate the operation of motorcycles." Referred to Committee on Highways and Transportation.



House Bill No. 470, introduced by Marbut, Turman, Lucas, Fasbender, Baucus: A bill for an act entitled: "An act relating to the preservation of historic, prehistoric and paleontological resources of the State of Montana; creating a permit system for exploration and imposing a penalty for violation; and authorizing the Governor's Advisory Council on historic sites to constitute an AD HOC Committee under the directorship of the commissioner of the Department of State Lands for permit issuance." Referred to Committee on Natural Resources.

House Bill No. 471, introduced by Lucas, Hall: A bill for an act entitled: "An act implementing Article II, Section 28, Article IV, Sections 2 and 4, and Article XII, Section 3 (2) of the 1972 Montana Constitution and H.B. 28 of this session providing the term "of unsound mind" to include other like terms in the Revised Codes of Montana, 1947." Referred to Committee on Judiciary.

House Bill No. 472, introduced by Barrett, Glennen: A bill for an act entitled: "An act providing that the suspension of any intrastate operating authority as provided in Section 8-107.1, R.C.M. 1947, for a period of twelve (12) consecutive months is a prima facie presumption of absence of public convenience and necessity; providing that if, after notice and hearing, the carrier is unable to prove the existence of public convenience and necessity or existing demand for the transportation service, the commission is authorized to cancel such certificate; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 473, introduced by Bennetts, Baucus, Watt, Turman, Haines, Lynch, Lee, Kimble, Greely: A bill for an act entitled: "An act to provide that a person convicted of a felony who has served his sentence and is no longer under state supervision be restored the right to enter any occupation requiring state licensing; and amending Sections 4-412, 27-311, 46-2510, 66-112, 66-403, 66-510, 66-913, 66-1036, 66-1038, 66-1240, 66-1312, 66-1504, 66-1834, 66-1937, 66-2115, 66-2210, 66-2345, 66-2509, 66-2610, 66-2714, 66-3017, 66-3209, 75-6010 and 93-2027, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 474, introduced by Swanberg, Lien, McKittrick, Turman, Mercer, Fasbender: A bill for an act entitled: "An act to provide for the extension of policy of preserving natural and existing shape, form and course of rivers and streams in the State of Montana to activities of private persons or organizations in addition to activities of public agencies; providing for the reporting to United States agencies of activities which adversely affect fishing streams and other fish and wildlife resources; providing for penalties and enforcement; amending Sections 26-1502, 26-1505 and 26-1506, R.C.M. 1947; and repealing Section 26-1507, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 475, introduced by Hager: A bill for an act entitled: "An act amending Sections 23-3308 and 23-3511, R.C.M. 1947, by deleting reference to a rotation system of candidate name arrangement and replacing it with a draw by lot." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 476, introduced by Burnett: A bill for an act entitled: "An act amending Section 44-226, R.C.M. 1947, providing that Boards of County Commissioners may in their discretion exempt areas, not included in any city or town, from liability for taxes for county library purposes." Referred to Committee on Local Government.

House Bill No. 477, introduced by R. Harper: A bill for an act entitled: "An act establishing the salary for county attorneys in counties of the first class and of the second class at sixteen thousand dollars (\$16,000); and amending Section 25-605, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 478, introduced by Lund, Lockrem: A bill for an act entitled: "An act supplementing the Corrupt Practices Act, Title 94, Chapter 14, R.C.M. 1947, by providing that all political committees must file an organizational statement with the Secretary of State before it may solicit, receive or expend any funds; and providing a penalty." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 479, introduced by Hager: A bill for an act entitled: "An act amending Section 23-3005, R.C.M. 1947, requiring the use of social security numbers as registry numbers." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 480, introduced by Regan: A bill for an act entitled: "An act to provide for a three (3) day cooling-off period on door-to-door sales contracts." Referred to Committee on Business and Industry.

House Bill No. 481, introduced by Yardley: A bill for an act entitled: "An act providing for determination and collection of civil penalties as an additional remedy; and providing for rebate of a portion of a penalty paid upon terms determined by the court." Referred to Committee on Judiciary.

House Bill No. 482, introduced by Lee: A bill for an act entitled: "An act permitting the creation of commission state liquor stores and the establishment of compensation therefor by the director of revenue." Referred to Committee on State Administration.

House Bill No. 483, introduced by Mercer: A bill for an act entitled: "An act controlling the distribution of "sample drugs"; defining "sample drugs"; providing who is authorized to obtain such drugs; providing the manner authorized persons may obtain such drugs; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 484, introduced by Hager: A bill for an act entitled: "An act to amend Section 23-3023, R.C.M. 1947, by deleting the requirement of posting lists of registered voters in each precinct." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 485, introduced by Hager: A bill for an act entitled: "An act providing for the cancellation of all registrations immediately after the 1974 general elections." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 486, introduced by Lien, Glennen: A bill for an act entitled: "An act amending Section 8-101, R.C.M. 1947, deleting certain provisions under definition of term "motor vehicle"; providing further for the definition of "motor vehicles" to include all vehicles, motor trucks, tractors or other self-propelled vehicles used for the transportation of property or persons over the public highways of the state and any trailer, semitrailer, dolly or other vehicle drawn thereby; and providing for an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 487, introduced by R. Harper, Gunderson, Towe, Turman, Manuel, Stephens, Stoltz, Roberts, Fleming, Staigmiller, Edland, Bennetts, Tierney, Colberg, Murphy, Shelden, Hodges, Norman: A bill for an act entitled: "An act creating a single member public utility commission replacing the public service commission and transferring to the public utility commission the functions of the Public Service Commission; amending Sections 72-104 and 72-139, R.C.M. 1947, to conform with this act; amending Section 25-501, R.C.M. 1947, deleting the salary of the railroad commissioners; and repealing Sections 70-101, 70-102, 70-118, 70-134, 72-101, 72-102, 72-103, 72-105, 72-107 and 72-112, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 74, introduced by Bollinger, Goodheart, Hazelbaker: A bill for an act entitled: "An act to delete the requirement that the state

archivist establish a records management program; amending Section 82-3209, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 17, introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to amend Section 43-310, R.C.M. 1947, to implement Article V, Sections 5 and 6 of the 1972 Montana Constitution by providing that legislators be compensated for each legislative day, receive expenses seven (7) days a week, except during recesses, and receive mileage, expenses and twenty dollars (\$20) per day for attending legislative standing committee meetings and mileage for the pre-session caucus, raising mileage from nine cents (9¢) to twelve (12¢), and providing for an immediate and effective date." Referred to Committee on Legislative Administration.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 79 be concurred in (94-0).

That House Bill No. 143 be amended in the title, line 9, by striking the words "according to statutory schedule" and as amended, do pass (74-19).

That House Bill No. 147 do pass (63-31).

That House Bill No. 190 be passed for the day.

That House Bill No. 273 do pass (88-2).

That House Bill No. 283 do pass (90-1).

That House Joint Resolution No. 21 do pass (89-1).

That House Bill No. 17 be passed for the day.

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 9 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg,



Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Haines, Schepens, Turner. Total 3.

House Bill No. 86 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Bardanouve, Bennetts, Bradley, Brand, Gunderson, McKittrick, Prevost, Stephens. Total 8.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Baucus, Colberg, Schepens, Turner. Total 4.

House Bill No. 100 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Mehrens, Schepens. Total 2.

House Bill No. 144 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, East, Hubing, Kvaalen, Prevost, Selstad. Total 6.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.



Absent or not voting: Halvorson, Schepens, Schye, Watt, Zimmer.  
Total 5.

House Bill No. 219 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Marbut, Swanberg. Total 2.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Holmes, Schepens. Total 2.

House Bill No. 246 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 91.

Noes: Hall, Prevost, Yardley. Total 3.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: McKittrick, Schepens. Total 2.

House Bill No. 106 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Rolfe, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Cotton, East, Hubing, Kvaalen, Lockrem, Marks, Olson, Prevost, Schepens, Smith, Ulmer, Walborn, Warfield. Total 13.

Excused: Ellerd, Lee, Lundgren, Roberts. Total 4.

Absent or not voting: Lund, Mehrens, Selstad. Total 3.

Fasbender moved that the House be adjourned until 1:30 p.m., January 29, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

January 29, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Schye, Turner, Lien, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 29, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 16, 58, 69, 108, 119, 254 and 188.

QUILICI, Chairman

January 29, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 147 and 211.

QUILICI, Chairman

January 29, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 78.

QUILICI, Chairman

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 be amended on page 2, section 1, subsection (b), line 9 after the word "that" by deleting the word "[such]", and inserting in lieu thereof the word "the", and

Be further amended on page 2, section 1, subsection (b), line 9 by deleting in the word "reports" the "[s]", and

Be further amended on page 2, section 1, subsection (b), line 9 after the word "information" by adding the new material "filed by law enforcement personnel, as required by this act".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do pass.

HALL, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do pass.

HALL, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 be amended on page 2, section 1, subsection (3), line 18 after the parenthesis and number "(3)" by deleting the word "[In]" and inserting in lieu thereof the new material, "The limitation on annual salary set forth in subsection (2) above does not apply to the chief probation officer in", and

Be further amended on page 2, section 1, subsection (3), lines 19, 20, 21, 22 and 23 after the word "first" by deleting "[class, the maximum salary of the chief probation officer shall be the average salary received by the elementary school principals in the counties of the first class contained within the judicial district. Provided, however, that the chief]" and inserting in lieu thereof the new material "class. Provided, however, that such", and

Be further amended on page 2, section 1, subsection (3), line 25 after the word "and" by inserting the new material "had three (3) years experience in behavioral sciences. No such salary shall be set in excess of an amount approved by the county commissioners of counties involved." and,

Be further amended on pages 2 and 3, section 1, lines 25, 1, 2, 3, 4, 5, 6, and 7 after the word "and" by deleting all of the words "[holds comparable qualifications of the average elementary school principal. The determination of the average salary shall be made by certification from the county superintendent in the school district or districts which include the largest portion of county or counties of the first class, before March 1 each year, or in sufficient time to allow adequate budgetary consideration by the county commissioners]."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 237, respectfully report as follows: That

House Bill No. 237 be amended on page 1, line 5, title, by striking the words "[contract, covenant, easement, servitude or other]", and

Be further amended on page 1, line 6, title, after the word "to" by striking the words "ores, metals, or minerals" and inserting in lieu thereof the word "coal", and

Be further amended on page 1, lines 12, 13, 14, 15, 16, 17, 18, 19 and 20 by deleting all of the words after "Section 1." "[No contract, covenant, easement, servitude, or other agreement, as provided for in section 58-304 and 67-602 may permit the disturbance of the surface by strip mining or open pit mining (i.e., any mining method or process in which the strata or overburden is removed or displaced in order to remove the ore, metal, or mineral) unless the language of such contract, covenant, easement, servitude, or other agreement expressly allows strip mining or open pit mining]." and inserting in lieu thereof the new material, "A conveyance grant, contract for deed, or deed shall not create, whether by way of transfer to a grantee or by way of reservation to a grantor, or otherwise, or at all, a burden or servitude upon, or interest in or under, the land affected for strip mining or open pit mining (i.e. etc.) unless that conveyance, grant, contract or deed shall expressly create such burden, servitude or interest. No such burden, servitude or interest may be created, whether by transfer or reservation thereof, or otherwise, or at all by lease, agreement or other instrument affecting an interest in personalty or less than fee simple unless such burden, servitude or interest shall be expressly created by such lease, agreement or instrument."

Section 2. If any provision of this act or the application thereof to any person or transaction is held unconstitutional, the remainder of this act and the application of such provision to other persons or transactions shall not be affected thereby, and it shall be conclusively presumed that the legislature would have enacted the remainder of this act without such invalid or unconstitutional provision."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Staigmiller, Stephens, Swanberg, Turman, Ulmer, Warfield, Zimmer, Mr. Speaker. Total 71.

Noes: Baeth, Cotton, Cox, Forsgren, Halvorson, Huennekens, Johnston, Marks, Schepens, Shelden, Tierney, Towe. Total 12.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Bardanouve, Bradley, Brown, Edland, Fasbender, Holmes, Lockrem, Lund, Lundgren, Smith, Stoltz, Walborn, Watt, Yardley. Total 14.



January 27, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do pass.

LAAS, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do not pass.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Ellerd, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 75.

Noes: Brand, Cotton, Driscoll, Glennen, Hager, Hodges, Huennekens, Lund, Lynch, Schepens, Seifert. Total 11.

Excused: Lien, Turner, Schye. Total 3.

Absent or not voting: Bardanouve, Bradley, Brown, Edland, Fagg, Fasbender, Lockrem, Lundgren, Smith, Walborn, Yardley. Total 11.

January 29, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16 do pass.

STAIGMILLER, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

STAIGMILLER, Chairman

Menahan moved as a substitute motion that House Bill No. 205 be transferred to Committee on Fish and Game.

Motion carried.

January 29, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 be amended in the title on page 1, line 8, after the word "ANIMAL" by inserting the following new material: "; PROVIDING FOR PROTECTION OF WILD BUFFALO; DEFINING WILD BUFFALO", and

Be further amended in section 1, page 3, line 8, after the word "(sturgeon)." by inserting before the quotation mark the following new definition: "Wild buffalo. Buffalo or bison which have not been reduced to captivity.", and

Be further amended after section 3 on page 14, after line 14, by adding a new section 4 to read as follows: "Section 4. Wild buffalo protected. It is unlawful to hunt, shoot, kill, capture or possess wild buffalo except as permitted by rules adopted by the fish and game commission.", and

As amended, do pass.

STAIGMILLER, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 be amended on page 1, section 1, line 16 after the word "shall" by inserting the word "not", and

Be further amended on page 1, section 1, lines 21, 22 and 23 after the word "effect" by inserting the punctuation "." and deleting the words "[or by the owner of one hundred per cent (100%) of the rights to any mineral interest upon the land in which such mineral ownership is vested]."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 be amended on page 1, line 8, title, by deleting the word "[minerals]" and inserting in lieu thereof the word "coal", and

Be further amended on page 4, section 1, line 2 after the word "mining" by inserting the words "of coal", and

Be further amended on page 4, section 1, line 4 after the word "the" by deleting the words "[ore, metal or mineral]" and inserting in lieu thereof the word "coal", and

Be further amended on page 4, section 2, line 7 by deleting the words "[Section 2. Section 50-813, R.C.M. 1947, is repealed]."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Gundersen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall,

Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Barrett, Bradley, Brand, Greeley, Hodges, Lynch, Murphy, Tierney. Total 8.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Edland, Fasbender, Fleming, Holmes, Kolstad, Kvaalen, Lockrem, Lundgren, Smith. Total 9.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do pass.

HALL, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do pass.

KOSENA, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do pass.

KOSENA, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 be amended as follows: Amend on page 3, section 2, line 4 after the word "officer" insert the following language "with the permission of the governing body"

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 be amended as follows: Amend on page 3, section 2, line 22 by striking the word "[three (3)]" inserting in lieu thereof the following "one (1)" and,

Further amend on page 3, section 2, line 22 by striking the "[s]" on "members" to read "member" and,

Further amend on page 3, section 2, line 24 after the words "shall be" and insert "a" and,

Further amend on page 3, section 2, line 24 by striking the "[s]" on "members" to read "member"

And, as amended, do pass.

KOSENA, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 be amended as follows: Amend on page 1, section 1, line 16 after the word "September" insert the following language, "or if such Tuesday immediately follows Labor Day, then on the first Tuesday in September"

And, as amended, do pass.

LOMBARDI, Chairman

Report adopted.



January 29, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 be amended as follows: Amend on page 1, after line 18 by inserting a new "Whereas" clause to read as follows: "WHEREAS, curtailment of these funds will have a very serious adverse effect in our seven Indian reservations on weed control and water development."

And, as amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 35, respectfully report as follows: That Senate Bill No. 35 be concurred in.

LOMBARDI, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be concurred in.

LOMBARDI, Chairman

Report adopted.

#### MOTIONS AND RESOLUTIONS

The Speaker moved House Bill No. 474 from Committee on Fish and Game to Committee on Natural Resources.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 35, introduced by Shelden, Baeth, Halvorson, Manuel, Staigmilller, Huennekens, Colberg, Gunderson, Murphy, Yardley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for the adoption of a proposal for planning Montana's Land Resources as a basis for a state land use policy. Referred to Committee on Natural Resources.

House Joint Resolution No. 36, introduced by Huennekens (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Board of Natural Resources and Conservation to investigate the feasibility of disposing of or abandoning the Daly Ditch Irrigation Project. Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 488, introduced by Brand, Kimble, Menahan, Mehrens, Lynch, Quilici, McKittrick, Clemow, Marbut, Staigmilller, Gunderson, Healy, Lombardi: A bill for an act entitled: "An act to provide for job protection for railroad employees affected by closure of railroad stations and facilities." Referred to Committee on Labor and Employment Relations.

House Bill No. 489, introduced by Greely, Swanberg, Fasbender: A bill for an act entitled: "An act amending Section 84-1501, R.C.M. 1947, relating to the corporation license tax by subjecting corporations to tax on the basis of total net income; provided, that corporations having income from business activity which is taxable both within and without Montana shall be taxed on the basis of net income derived from or attributable to Montana sources; and amending Section 84-1503, R.C.M. 1947, to pro-

vide for the allocation and apportionment of income of corporations having income from business activity which is taxable both within and without Montana." Referred to Committee on Taxation.

House Bill No. 490, introduced by Lynch, Cox, Murphy, Bradley, Menahan: A bill for an act entitled: "An act restricting the types of information a school board may require of applicants for employment." Referred to Committee on Education.

House Bill No. 491, introduced by Roberts, H. Harper: A bill for an act entitled: "An act to amend Section 23-3318, R.C.M. 1947, changing the timing for the filing of certificates of nomination." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 492, introduced by Bradley, Norman, Kimble, Baucus, Turman, Marbut, Holmes, Hageman, Regan, Huennekens, Towe, Hodges, Colberg, Driscoll, Harper, Forsgren, Watt: A bill for an act entitled: "An act declaring the legislature's concern about the current and impending development of the coal resources in Montana and about the adverse effects such development may have on the health, safety and welfare of the people of Montana; providing for the comprehensive study of all aspects of such development; and providing for a moratorium on the further development of coal surface mining and related energy conversion facilities until comprehensive studies have been completed and until the Second Session of the 44th Legislature has adjourned having had an opportunity to respond with appropriate legislation." Referred to Committee on Judiciary.

House Bill No. 493, introduced by Lombardi, McKittrick, Healy, Lee, Mehrens, Regan, Haines, Marbut, Clemow, Campbell, Ainsworth, Murphy, Flynn, Quilici, Glennen, Johnston, Greely, Laas, Fleming, Kosen, Menahan, Lynch, Stoltz, Yardley, Baeth, Asbjornson: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; creating the Division of the State Lottery in the Department of Revenue; and prescribing its functions, powers and duties." Referred to Committee on Judiciary.

House Bill No. 494, introduced by Fagg, Lucas, Tierney, Flynn, Edland, Hager, Glennen, Rolfe: A bill for an act entitled: "An act to require motor vehicle inspections in the State of Montana; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 495, introduced by Watt: A bill for an act entitled: "An act to fix different taxable valuations on land and on the improvements on land; and amending Section 84-301 and 84-302, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 496, introduced by Hall, R. Harper, Menahan, Norman, Regan, Bradley, Tierney, Murphy, Huennekens, Brand, Gerke, Cotton, Fashbender, Zimmer, Healy, Swanberg, Quilici, Turman, Lombardi, Shelden, Hodges, Baeth, Prevost, Haines, Asbjornson, Staigmiller, Lynch, Gunderson: A bill for an act entitled: "An act granting firemen in cities of the first class and the second class the right to bargain collectively; representative in an appropriate unit for the purposes of collective bargaining; providing for the duties and obligations of cities and firemen relative to the conduct of collective bargaining and providing for remedies for breach or violation of such duties; and providing for procedures for carrying out the purposes of this act." Referred to Committee on Local Government.

House Bill No. 497, introduced by Cox, Glennen, Olson, Barrett, Ainsworth, Schye, Bell, Murphy: A bill for an act entitled: "An act requiring the State Department of Revenue to remit a portion of the income taxes received by the department to local governments and requiring said governments to use seventy-five percent (75%) of said moneys for property tax relief; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 498, introduced by Watt, Fasbender: A bill for an act entitled: "An act amending Section 84-4902.1, R.C.M. 1947, raising the surtax on the Montana individual income tax to fifteen percent (15%) of the tax liability." Referred to Committee on Taxation.

House Bill No. 499, introduced by R. Harper, Towe, Gunderson, Kimble, Edland, Murphy, Driscoll, Baucus, Bradley, Greely, Turman, Marbut, Watt: A bill for an act entitled: "An act to require furnishing of information on public utilities providing heat, power and light to the consumer counsel." Referred to Committee on Judiciary.

House Bill No. 500, introduced by Hager: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, eliminating notaries public as deputy registrars; and providing for instruction of deputy registrars." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 501, introduced by Holmes: A bill for an act entitled: "An act to require a course of instruction in American Indian culture on the educational background of any teacher in a Montana elementary, secondary or vocational education program or school; and providing an effective date." Referred to Committee on Education.

House Bill No. 502, introduced by Kimble, Tierney, Murphy, Bennetts, Bradley: A bill for an act entitled: "An act requiring Montana colleges and universities to develop procedures to protect a student's right to privacy concerning his place of residence and his college or university records." Referred to Committee on Education.

House Bill No. 503, introduced by Healy, Schye, Lee, Lockrem, Quilici, Lynch, Ulmer, Brand, Clemow, R. Harper, Asbjornson, Nichols, Haines, Lombardi, Flynn: A bill for an act entitled: "An act to create the resource indemnity trust account in the trust and legacy fund; to provide for the funding of the account from taxes imposed on the value of product of nonrenewable resource extracting industries; and amending Sections 84-1210, 84-1309, 84-1901 and 84-5908, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 504, introduced by Lee: A bill for an act entitled: "An act to amend Section 4-510, R.C.M. 1947, to increase the fees for issuance of an alcoholic beverages identification card from fifty cents (\$.50) to one dollar and fifty cents (\$1.50); and providing an effective date." Referred to Committee on State Administration.

House Bill No. 505, introduced by Lombardi, McKittrick, Lee, Baeth, Mehrens, Lynch: A bill for an act entitled: "An act providing for the Department of Labor and Industry to hold hearings, to make findings, decisions and orders in all disputes arising under the labor laws of Montana regulating the payment of wages; providing for compliance with the Montana Administrative Procedure Act; providing for notice; providing for rules and regulations for the conduct of such hearings; and providing for appeal to the district courts." Referred to Committee on Labor and Employment Relations.

House Bill No. 506, introduced by Fasbender: A bill for an act entitled: "An act amending Section 69-3923, R.C.M. 1947; providing that air pollution facilities, machinery or equipment shall be classified as Class 7 property for purposes of taxation for a period not to exceed three (3) years; providing a method for applying for that classification; providing for the withdrawal of such classification upon noncompliance with the provisions of the "Clean Air Act of Montana"; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 507, introduced by Lynch, Clemow, Ellerd, Greely, Quilici, Lee, Lombardi, Healy, Mehrens, R. Harper, Tierney, Castles, Turner: A bill for an act entitled: "An act legalizing gambling; creating the Montana Gaming Control Board; prescribing its duties and powers; pro-



viding for classes of gaming licenses and license fees and taxes; providing for the collection and disposition of license fees and taxes; providing for local option elections; and providing penalties." Referred to Committee on Judiciary.

House Bill No. 508, introduced by Edland: A bill for an act entitled: "An act to amend Section 84-1302, R.C.M. 1947, to increase the strip coal mines license tax by ten cents (10¢) per ton of coal mined; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 509, introduced by Fasbender, Walborn, East, Smith, Kolstad, Hubing, Ulmer, Gunderson, Lien, Prevost, Lockrem: A bill for an act entitled: "An act amending Sections 84-1302 and 84-1303, R.C.M. 1947, to change the basis for determining and raising the strip coal mines license tax and removing the reclamation credit; providing distribution for a portion of the strip coal mines license tax to the counties; and repealing 84-1309, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 510, introduced by Baeth (by request): A bill for an act entitled: "An act to amend Section 31-135, R.C.M. 1947; providing that operator and chauffeur licenses shall not be valid for operation of motorcycles unless endorsed; and providing the fee for such endorsement." Referred to Committee on Highways and Transportation.

Senate Bill No. 52, introduced by Broeder: A bill for an act entitled: "An act to amend Section 53-712, R.C.M. 1947, to provide for a minimum proportional registration fee for interstate vehicles." Referred to Committee on Highways and Transportation.

Senate Bill No. 102, introduced by McKeon: A bill for an act entitled: "An act to repeal Section 4-108, R.C.M. 1947, pertaining to the salaries of the State Liquor Administrator and his employees, in its entirety." Referred to Committee on State Administration.

Senate Bill No. 166, introduced by McKeon: A bill for an act entitled: "An act transferring the functions of the Department of Law Enforcement and Public Safety pertaining to electrical inspections and code making to the Department of Professional and Occupational Licensing, and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 170, introduced by Bertsche, Lynch, Lowe: A bill for an act entitled: "An act prohibiting insurance companies issuing disability insurance policies in Montana from excluding therefrom coverage for services rendered an insured while a resident of a Montana State Institution, if such services would have been covered if rendered to an insured outside such institution; defining 'Issued in Montana'; providing that such exclusion, if appearing in a disability insurance policy issued in Montana after the effective date of this act, is void; providing for rate of payment; and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 185, introduced by McKeon: A bill for an act entitled: "An act to amend Section 93-8625, R.C.M. 1947, to allow poor persons to commence or defend actions before administrative tribunals without being subject to costs." Referred to Committee on Judiciary.

Senate Bill No. 197, introduced by Groff, Lynch: A bill for an act entitled: "An act to appropriate moneys for support of the public schools for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.



## MESSAGES FROM THE SENATE

January 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 8, introduced by Gerke and Ainsworth, by request, was read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 52, introduced by Broeder

Senate Bill No. 102, introduced by McKeon

Senate Bill No. 166, introduced by McKeon

Senate Bill No. 170, introduced by Bertsche, Lynch and Lowe

Senate Bill No. 185, introduced by McKeon

Senate Bill No. 197, introduced by Groff and Lynch

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

January 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 2, introduced by Gerke and Ainsworth (by request)

House Bill No. 3, introduced by Gerke and Ainsworth (by request)

House Bill No. 7, introduced by Gerke and Ainsworth (by request)

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Baucus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 190 be passed for the day.

That House Bill No. 192 do pass (85-6).

That House Bill No. 193 do pass (90-0).

That House Bill No. 236 be amended in the title, on page 1, line 10, after the year "1947", by inserting the following new material, "and providing an effective date", and (86-0)

Further amend at the end of the bill, on page 12, line 17 by adding a new section to read, "Section 17. This act is effective on its passage and approval." (91-0).

And, as amended, do pass (93-0).

That House Bill No. 257 do pass (68-25).

That House Bill No. 324 do pass (88-1).

That Senate Bill No. 68 be concurred in (49-42).

That Senate Amendments to House Bill No. 8 be concurred in (83-0).

That the Committee rise and report.

BAUCUS, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 60 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 68.

Noes: Bardanouve, Bell, Brown, Burnett, Campbell, Castles, East, Ellerd, Galt, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lucas, Lund, Marks, Norman, Rolfe, Selstad, Ulmer. Total 22.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Fasbender, Glennen, H. Harper, Lockrem, Smith, Tierney, Warfield. Total 7.

House Bill No. 104 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe,

Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Fasbender, Lockrem, Nichols, Smith, Tierney. Total 5.

House Bill No. 110 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Asbjornson, Barrett, Bell, Burnett, Castles, Galt, Kessner, Olson, Selstad. Total 9.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: East, Fasbender, Lockrem, Smith, Tierney, Zimmer. Total 6.

House Bill No. 115 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Bradley, Fasbender, Lockrem, Smith, Tierney. Total 5.

House Bill No. 170 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe,

Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Fasbender, Laas, Lockrem, Murphy, Smith, Tierney. Total 6.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 79 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Lien, Schye, Turner. Total 3.

Absent or not voting: Driscoll, Fasbender, Lockrem, Lucas, Marks, Rolfe, Smith, Tierney. Total 8.

### MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 217 be taken from the Committee on Natural Resources and be rereferred to Committee on Judiciary.

Motion carried.

Mehrens moved that House Bill No. 194 be taken from Committee on Business and Industry and be rereferred to Committee on Labor and Employment Relations.

Motion carried.

Hall moved that the House adjourn until 1:30 p.m., January 30, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

### TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

January 30, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.



On roll call all members present except Lien, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 25th Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

January 30, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 40.

QUILICI, Chairman

January 30, 1973

I have examined House Bill No. 40 introduced by me and find the same to be correct.

KOSENA, Chairman

The Speaker signed House Bill No. 40 in open session, and Senate Bill No. 45 and Senate Joint Resolution No. 3.

January 30, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 18, 111, 126, 158, 172, 180, 182, 183, 185, 186, 229, 267, 277, 318, 334, 362, 376, 377, 378, 379, 380, 381, 382, and House Joint Resolution No. 16.

QUILICI, Chairman

January 30, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 192 and 257.

QUILICI, Chairman

January 29, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be concurred in.

FLEMING, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be concurred in.

FLEMING, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do pass.

FLEMING, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do pass.

FLEMING, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do pass.

FLEMING, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be concurred in.

BRAND, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do pass.

BRAND, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 24, respectfully report as follows: That House Joint Resolution No. 24 be amended in the title on page 1, lines 7 and 8, after the word "resources" by striking the words "[ENCOURAGE AND PROMOTE THE DEVELOPMENT]" and inserting in lieu thereof the words "EXPERIMENT WITH AND EXAMINE THE POSSIBLE USE".

Be further amended on page 2, line 3, by striking the words "[encourage and promote the development]" and inserting in lieu thereof the words "experiment with and examine the possible use".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

# MESSAGES FROM THE SENATE

January 29, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House amendments to Senate Bill No. 33, on roll call vote, were concurred in this day.

Respectfully yours,

JOHN N. HANSON,

Acting Secretary of the Senate

January 29, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 20, introduced by Ainsworth and Gerke (by request), was read three several times and concurred in, title and history agreed to, and the Bill is herewith returned to the House.

Respectfully yours,

JOHN N. HANSON,

Acting Secretary of the Senate

January 29, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution was this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 78, introduced by Zody &amp; Thiessen

Senate Bill No. 218, introduced by Harrison, Bennett and Bertsche

Senate Bill No. 222, introduced by Turnage

Senate Bill No. 234, introduced by Turnage

Senate Bill No. 245, introduced by McDonald, Story and Boylan

Senate Bill No. 258, introduced by Deschamps, Northey, et al

Senate Joint Resolution No. 13, introduced by Lowe, Mathers, et al

Respectfully yours,

JOHN N. HANSON,

Acting Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 511, introduced by Lee (by request): A bill for an act entitled: "An act granting the right of entry to the electrical inspector into any building or premises in the discharge of his duties of inspection, reinspection and testing of electrical equipment." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 512, introduced by Haines: A bill for an act entitled: "An act amending Sections 82-2405, 84-2406, 84-2407 and 84-2412, R.C.M. 1947; providing for an additional five dollars (\$5) to be collected for store licenses; and providing for five dollars (\$5) of each store license fee collected to be credited to an earmarked revenue fund for administration of the unfair practices act by the Department of Business Regulation." Referred to Committee on Business and Industry.

House Bill No. 513, introduced by Fasbender: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M. 1947, by reinstating a provision pertaining to an alternative method of complying with Montana's Corporation License Tax which was inadvertently deleted by Section 1, Chapter 7, Second Extraordinary Session of the Laws of the Forty-second Legislative Assembly." Referred to Committee on Taxation.

House Bill No. 514, introduced by Gunderson, Haines, Clemow, Yardley: A bill for an act entitled: "An act to limit license, regulate, and

control gambling; establishing a Gaming Control Board and specifying its powers and duties; and providing penalties for violations of this act." Referred to Committee on Judiciary.

House Bill No. 515, introduced by Ulmer: A bill for an act entitled: "An act to control gambling; establishing a gaming commission in the Department of Revenue having exclusive authority to license gambling activities and to sell gambling devices, the revenue to be applied to the State Equalization Aid Account; and repealing Sections 94-2401 through 94-2432." Referred to Committee on Judiciary.

House Bill No. 516, introduced by Lynch (by request): A bill for an act entitled: "An act amending Section 84-3201, R.C.M. 1947, concerning licenses for bowling alleys." Referred to Committee on Business and Industry.

House Bill No. 517, introduced by Swanberg, Walborn, Smith, Bradley, R. Harper, Edland, Towe: A bill for an act entitled: "An act establishing a fee on acres to be surface mined or having been surface mined which have not been released from a reclamation bond." Referred to Committee on Taxation.

House Bill No. 518, introduced by Swanberg, Lockrem, Fagg, Cox, Gerke, Watt, Greely, McKittrick, Hodges, Staigmillier, Gunderson, Hall, Yardley: A bill for an act entitled: "An act providing for a severance tax upon all oil and gas produced and saved from reservoirs in Montana; establishing the rates of such tax and the deduction of certain capital expenditures and operating costs; providing procedures for the determination of values of production, the filing of statements, and the payment of the tax; providing penalties for violations of the act; providing for the allocation of revenues from the severance tax to the state general fund, to counties in which the oil and gas was produced, and to school districts within such counties; providing that the severance taxes shall be in lieu of net proceeds taxes on natural gas and petroleum or other crude or mineral oil; exempting oil and gas in place from taxation; and repealing Sections 84-6201 through 84-6215, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 519, introduced by Greely: A bill for an act entitled: "An act to establish a central reporting system within the Department of Revenue to assist in the identification of corporations transacting business within the State of Montana and/or subject to taxation by the State of Montana; requiring the Secretary of State and the Department of Labor and Industry to provide information relating to corporations; providing for the administration of the act; and providing for the information as a public record." Referred to Committee on Taxation.

House Bill No. 520, introduced by Towe: A bill for an act entitled: "An act providing for the filling of vacancies in the offices of district court judge and supreme court justice, to comply with and implement Article VII, Section 8, of the 1972 Montana Constitution; and repealing Sections 93-209, 93-220 and 93-309, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 521, introduced by Norman, Roberts: A bill for an act entitled: "An act to provide for the use of identifying devices; and to provide for the duty owed disabled persons." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 522, introduced by Gerke, Johnston, Swanberg, Ainsworth, Olson: A bill for an act entitled: "An act relating to the financing of the long-range building program, by the issuance of bonds payable from special taxes appropriated therefor and further supported by the pledge of the full faith and credit of the state; amending Sections 79-2201 through 79-2205, R.C.M. 1947." Referred to Long Range Building Committee.



House Bill No. 523, introduced by Brand, Towe: A bill for an act entitled: "An act to require issuance of automobile liability insurance policies to applicants; and providing for exceptions." Referred to Committee on Business and Industry.

House Bill No. 524, introduced by Swanberg, Gerke (by request): A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to eliminate the deduction allowed for net operating losses." Referred to Committee on Taxation.

House Bill No. 525, introduced by Swanberg, Gerke (by request): A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, relating to taxation and classification of rights of entry." Referred to Committee on Taxation.

House Bill No. 526, introduced by Lee: A bill for an act entitled: "An act making lawful the conducting of games of chance, commonly known as punch boards; defining terms; providing for the manufacture, licensing and regulation of punch boards; and providing for the enforcement of this act." Referred to Committee on Judiciary.

House Bill No. 527, introduced by Towe, Bradley, Huennekens, Holmes, Staigmilller, Turman, Marbut, Regan, H. Harper, Norman, Baucus, Murphy, Aageson, Bennetts: A bill for an act entitled: "An act providing for the imposition of an annual disturbed land fee; increasing the strip coal mines license tax; and amending Section 84-1302, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 528, introduced by Towe, Marbut, Turman, R. Harper, Glennen, Gerke, Huennekens, Holmes, Regan, Fagg, Mercer, H. Harper, Baucus, Bradley: A bill for an act entitled: "An act to provide for determination and treatment of mentally ill; and repealing Sections 38-109, 38-112 through 38-116, 38-120, 38-201 through 38-211, 28-213 and 38-401 through 38-408, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 529, introduced by Towe: A bill for an act entitled: "The Montana Tax Reform Act of 1973; providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; requiring corporations to pay a business and occupation license tax measured by gross receipts; amending Sections 84-1901, 84-4903.1, 84-4924 and 84-4939, R.C.M. 1947; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 530, introduced by Towe, Edland, Fleming, Prevost, Schepens, Roberts, R. Harper, Gunderson: A bill for an act entitled: "An act to amend Section 84-1502, R.C.M. 1947, to limit deductions for hobby farms and for activities not engaged in for profit in determining taxable income for purposes of the Corporate License Tax." Referred to Committee on Taxation.

House Bill No. 531, introduced by Towe: A bill for an act entitled: "An act amending Section 84-5606.2, R.C.M. 1947, to redefine cigarette vendors, and to define cigarette subjobbers; amending Section 84-5606.3, R.C.M. 1947, to require cigarette subjobbers and cigarette vendors to obtain licenses; amending Section 84-5606.5, R.C.M. 1947, to provide for a license fee for cigarette subjobbers and vendors; and amending Section 84-5606.8, R.C.M. 1947, to provide for revocation of a license of cigarette subjobbers and vendors for failure to comply with the act." Referred to Committee on Business and Industry.

House Bill No. 532, introduced by Towe, Huennekens, Colberg, Holmes, H. Harper, Tierney: A bill for an act entitled: "An act to amend Section

84-301, R.C.M. 1947, relating to taxation and classification of rights of entry." Referred to Committee on Taxation.

House Bill No. 533, introduced by H. Harper, Holmes, Marks: A bill for an act entitled: "An act defining gambling; making gambling activities illegal; providing penalties for violations; and repealing Sections 94-2401 through 94-2432, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 534, introduced by Marks, Bell, Glennen, Castles, Halvorson, Towe, Quilici, Lombardi: A bill for an act entitled: "An act authorizing cities, counties and airport authorities to impose reasonable passenger service charges for the use of certain public airports to be collected either by passenger air carriers, if they agree to collect the charge on a contract basis, or to be collected by airport personnel; providing for reporting, collection, disposition and use thereof; providing penalties; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 535, introduced by Lee, Murphy (by request): A bill for an act entitled: "An act to provide for and obtain revenue from a state supervised, but privately operated, lottery with all lottery drawings regulated by the Board of Examiners of the State of Montana, or its appointees; amending Title 94, Chapter 30, R.C.M. 1947, by adding new sections which read as follows:" Referred to Committee on Judiciary.

House Bill No. 536, introduced by Holmes, Hall, Baucus, Regan, R. Harper, Lee, Cox, Olson, Haines, Ainsworth, Marbut, Kimble, Seifert, H. Harper, Bennetts, Gerke, Shelden, Gunderson, Fasbender: A bill for an act entitled: "An act implementing Article XIII, Section 4, of the 1972 Montana Constitution to provide a code of ethics; providing a commission and procedures for administration of the code; and repealing Sections 59-501, 82-1144 and 82-1922, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 78, introduced by Zody, Thiessen: A bill for an act entitled: "An act amending Section 80-2310, R.C.M. 1947, relating to the establishment of a Mental Retardation Center at Glendive by authorizing such center to accept and admit mentally retarded persons not residing in Montana when the State of Montana has agreed to do so by agreement with any other state or the United States." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 218, introduced by Harrison, Bennett, Bertsche: A bill for an act entitled: "An act providing for all businesses to be classified similarly for store license fee purposes; amending Sections 84-2402, 84-2404, 84-2405, 84-2407 and 84-2410, R.C.M. 1947; and repealing Section 84-2406, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 222, introduced by Turnage: A bill for an act entitled: "An act amending Section 5-518, R.C.M. 1947, to provide for state commercial and savings banks charging off unmarketable capital stock as an investment loss, as equivalent to sale thereof; and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 234, introduced by Turnage: A bill for an act entitled: "An act granting to state banks the power to engage in any business or activity permitted to national banks with the consent of the department of business regulation." Referred to Committee on Business and Industry.

Senate Bill No. 245, introduced by McDonald, Story, Boylan: A bill for an act entitled: "An act amending Section 46-232, R.C.M. 1947, concerning the licensing of milk plants and dairies." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 258, introduced by Deschamps, Northey, Hazelbaker, Nees, Moritz: A bill for an act entitled: "An act amending Section 82-808, R.C.M. 1947, concerning registration fees in the Montana agriculture laws;

and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 13, introduced by Lowe, Mathers, Northey, Manning, Sorensen, Cochrane, Drake, Siderius, Breeden: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the problems surrounding use of privately owned lands for hunting and fishing in order that a comprehensive system of "pay hunting" may be developed. Referred to Committee on Fish and Game.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hager in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 17 be passed for the day.

That House Bill No. 58 be moved to the bottom of the board.

That House Bill No. 69 be amended in the title on page 1, line 9 of the second reading bill, after the word "employment" by adding the following new material:

"and to provide that it shall be unlawful for an employer to terminate or separate an employee from his employment in an attempt to circumvent the provisions of this law", and (87-3)

As amended, do pass (68-22).

That House Bill No. 108 be passed to the bottom of the board.

That House Bill No. 119 be amended in the title, page 1, line 6 of the original bill, being page 1, line 6 of the printed bill, by inserting between the words "for" and "uniform" the word "more", and further amend

By inserting on page 1, line 8 in the title of the original and printed bill between the words "of" and "three" the words "not less than", and further amend

On page 1, lines 8 and 9 of the original and printed bill by striking the words "[or less]", and further amend

On page 1, line 9 of the original and printed bill by striking the word "[sections]" and inserting the word "section", and further amend

On page 1, line 10 of the original and printed bill by striking the following material "[31-221, 68-1303, 68-1420, 75-6215 and 93-1126]," (69-20)

And further amend on page 2, section 1, line 14 of the original and printed bill by deleting the word "[state]", and further amend

On page 2, Section 1, lines 15 through 23 of the original and printed bill by re-inserting the deleted material, and further amend

On page 2, Section 1, line 24 of the original and printed bill by re-inserting "(f)" and deleting "(e)", and further amend

On pages 3, 4 and 5 of the original and printed bill, by deleting Sections 2 through 6 in their entirety, and further amend



On page 5, line 25 of the original and printed bill by striking the figure "[7]" and inserting in lieu thereof the figure "2", (50-45)

And as amended, do pass. (63-30).

That House Bill No. 188 be passed to the bottom of the board.

That House Bill No. 190 do pass (94-0).

That House Bill No. 254 do pass (71-27).

That Senate Bill No. 21 be concurred in (89-4).

That Senate Bill No. 35 be concurred in. (94-0)

That House Bill No. 58 be amended in Section 3, page 2, line 4 of the second reading bill after the word "per year," by inserting in lieu thereof the words "and which",

And further amend, page 2, section 3, line 10 of the second reading bill by inserting the following new material: "In the event that a parcel of land does not meet the above income or size requirements, but produces the equivalent of fifteen percent (15%) of the owners total gross income, that land will be valued by agricultural productivity."

And further amend page 2, section 3, lines 5 through 8 of the second reading bill, by deleting the following words, "[and which has been so devoted and assessed as agriculture land for at least five (5) successive years immediately preceding the tax year in issue]," (86-6)

And be further amended in Section 4, page 2, lines 15 through 19, of the second reading bill, by deleting in its entirety subsection (1) "[ (1) It has been so devoted and assessed and has not changed ownerships and no option has been executed by which the ownership could be changed, for at least the five (5) successive years immediately preceding the tax year for which valuation under this act is requested,] and inserting in lieu thereof a new subsection (1) to read as follows: (1) It is being actively devoted to agriculture;" and

Further amend on page 2, subsection (2) line 24 of the second reading bill by deleting after the word "program" the words "[have averaged]" and inserting in lieu thereof the word "totals", and

Further amend on page 3, subsection (2), lines 1 and 2 of the second reading bill after the words "per year" by deleting the following material "[during the five (5) year period immediately preceding the tax year in issue, and]" and inserting in lieu thereof the word and punctuation "; or" and

Further amend on page 3, subsection (3), line 3 of the second reading bill, by renumbering the present subsection (3) to be subsection (4), and

Further amend on page 3, line 3, by creating a new subsection (3) to read as follows: "It produces the equivalent of fifteen (15%) of the owners total annual gross income;" and

Further amend page 7, section 12, line 20 of the second reading bill by inserting after the word "shall" the word "not". (86-5)

And as amended, be passed for the day.

That House Bill No. 108 be amended on line 4, page 10 by adding a new Section 10 which reads as follows:

"Section 10. It shall require a vote of the people in any existing district to make this law applicable to such districts."



And further amend line 4, page 10 by renumbering the remaining section accordingly. (87-0)

And as amended, do pass. (59-38)

That House Bill No. 188 do pass. (80-15)

That the Committee rise and report.

HAGER, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 78 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Brand, Brown, Burnett, Gunderson, Haines, Hubing, Marks, Olson, Prevost, Schepens, Selstad, Walborn. Total 12.

Excused: Lien. Total 1.

Absent or not voting: Edland, Jacobsen. Total 2.

House Bill No. 147 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Bennetts, Bradley, Colberg, Driscoll, Fاسبender, Flynn, Glennen, Greely, Gunderson, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosen, Lee, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mehrens, Menahan, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley. Total 44.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Fagg, Fleming, Forsgren, Galt, Hageman, Hager, Halvorson, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lockrem, Lund, Lundgren, Manuel, Marks, Mercer, Murphy, Olson, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Turner, Walborn, Warfield, Zimmer, Mr. Speaker. Total 53.

Excused: Lien. Total 1.

Absent or not voting: Edland, Nichols. Total 2.

House Bill No. 211 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Bell, Bennetts, Brand, Brown, Burnett, Clemow, Colberg, Cotton, Cox, Fagg, Fاسبender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman,

Olson, Quilici, Regan, Roberts, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Asbjornson, Campbell, Castles, Driscoll, East, Ellerd, Flynn, Galt, Hageman, Hubing, Kvaalen, Marks, Prevost, Rolfe, Schye, Staigmiller. Total 16.

Excused: Lien. Total 1.

Absent or not voting: Baucus, Bradley, Edland, Schepens, Selstad, Watt. Total 6.

### THIRD READING OF SENATE BILLS

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holmes, Hubing, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lund, Lundgren, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Ainsworth, Bell, Brand, Brown, Burnett, Campbell, Castles, Ellerd, Galt, Gunderson, Halvorson, H. Harper, Holtz, Huennekens, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lombardi, Lucas, Lynch, Manuel, Marks, Prevost, Quilici, Rolfe, Seifert, Selstad, Smith, Stephens, Turner, Ulmer, Walborn, Zimmer. Total 35.

Excused: Lien. Total 1.

Absent or not voting: Jacobsen. Total 1.

Senate Amendments to House Bill No. 8 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Castles. Total 1.

Absent: East, Laas, Mehrens, Quilici. Total 4.

Excused: Lien. Total 1.

The speaker made the following changes in bill assignments: House Bill No. 528 from Committee on Public Health, Welfare and Safety to Committee on Judiciary; House Bill No. 396 from Committee on Education to Committee on State Administration.

Fasbender moved that the House adjourn until 1:30 p.m., January 31, 1973.

Motion carried.

House adjourned.

HAROLD GERKE, Speaker

ED SMITH, Chief Clerk

## TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

January 31, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Reverend Brown and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Brown, Roberts, Lien, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-Sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

January 31, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 188, 190, 193, 254, and 324.

QUILICI, Chairman

January 31, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 136, 164, 191, 231, 256, 282 and House Joint Resolution No. 17.

QUILICI, Chairman

January 31, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

BARDANOUE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 be amended as follows: Amend the title, lines 4 and 5, by striking after the word "Appropriating" in line 4 the words and figures in lines 4 and 5 "[two thousand seven hundred dollars (\$2,700)]" and inserting in lieu thereof the words and figures "one thousand seven hundred dollars (\$1,700)"; and

Further amend on page 1, lines 14 and 15, Section 1, by striking after the word "appropriating" in line 14 the words and figures in lines 14 and 15 "[two thousand seven hundred dollars (\$2,700)]" and inserting in lieu thereof the the words and figures "one thousand seven hundred dollars (\$1,700)";

And, as amended, do pass.

BARDANOUE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do pass.

BARDANOUVE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do pass.

BARDANOUVE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 167, respectfully report as follows: That Senate Bill No. 167 be concurred in.

BARDANOUVE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

EDLAND, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

LAAS, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 110, respectfully report as follows: That Senate Bill No. 110 be concurred in.

LAAS, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do pass.

HALL, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 be amended on page 1, lines 4 and 5, title, after the words "creating a" by striking the words "[division of training coordination]" and inserting in lieu thereof the new material "training coordinator of county attorneys", and

Be further amended on page 1, line 7, title, by striking the words "[administrator of the division]" and inserting in lieu thereof the new material "training coordinator", and



Be further amended on page 1, lines 7 and 8, title, after the words "by the" by striking the words "[board of directors of the Montana County Attorneys Association]", and inserting in lieu thereof the new material "attorney general", and

Be further amended on page 1, line 9, title, after the words "of the" by striking the word "[division]" and inserting in lieu thereof the new material "training coordinator", and

Be further amended on page 1, Section 1, lines 14 and 15 after the words and punctuation "safety, a" by striking the words "[division of training coordination]" and inserting in lieu thereof the new material "training coordinator for county attorneys", and

Be further amended on page 1, Section 2, line 16 after the word "the" by striking the words "[administrator of the division]" and inserting in lieu thereof the new material "training coordinator", and

Be further amended on page 1, Section 2, line 17, after the words "by the" by striking the words "[board of directors]" and inserting in lieu thereof the new material " attorney general from a list of three names proposed and submitted by", and

Be further amended on page 1, Section 3, line 19, after the word "the" by striking the word "[division]" and inserting in lieu thereof the new material "training coordinator", and

Be further amended on page 1, Section 3, lines 20 and 21 after the word "head" by striking the words "[and by the board of directors of the county attorneys association]".

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 be amended on page 1, Section 1, lines 10, 11, 12, 13 and 14, after the word "subject" by striking the words and punctuation "[to review by the Senate at the legislative session next following the issuance of the order. Failure to submit the order for review as provided shall result in the order being considered null and void and of no force or effect.]" and inserting in lieu thereof the new material, "to the same procedures of confirmation by the Senate as apply to those gubernatorial appointments requiring confirmation."

And, as amended, do not pass.

HALL, Chairman

Burnett moved, as a substitute motion, that House Bill No. 306 be printed and placed on Second Reading.

Motion failed.

Thereupon, the committee report was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Schye, Shelden, Staigmiller,

Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Fagg, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Rolfe, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 39.

Excused: Brown, Lien, Roberts. Total 3.

Absent or not voting: Ellerd, Hageman. Total 2.

# MESSAGES FROM THE SENATE

January 30, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 14, introduced by Shelden and Lucas (by request)

House Bill No. 31, introduced by Shelden and Lucas (by request)

Respectfully yours,

JOHN N. HANSON  
Acting Secretary of the Senate

January 30, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Resolution were this date read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 4, introduced by Gerke, Ainsworth (by request)

House Bill No. 12, introduced by Shelden and Lucas (by request)

House Bill No. 32, introduced by Lucas and Shelden (by request)

House Bill No. 33, introduced by Lucas and Shelden (by request)

House Joint Resolution No. 3, introduced by Barदानoue.

Respectfully yours,

JOHN N. HANSON  
Acting Secretary of the Senate

January 30, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 32, introduced by Lynch and Moore (by request)

Senate Bill No. 92, introduced by Thiessen, McDonald and Nees

Senate Bill No. 212, introduced by James

Senate Joint Resolution No. 8, introduced by Bollinger and Nees

Senate Joint Resolution No. 14, introduced by Moritz, Hazelbaker, et al

Senate Joint Resolution No. 22, introduced by Himsl and Cochrane.

Respectfully yours,

JOHN N. HANSON

Acting Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Baucus, having voted on the prevailing side in not passing House Bill No. 147 on Third Reading at the previous sitting, moved that the House reconsider its action.

Kolstad moved, as a substitute motion, that the motion to reconsider House Bill No. 147 be laid on the table.

Fasbender requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fleming, Forsgren, Galt, Hager, Halvorson, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Marks, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 39.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Excused: Brown, Lien, Roberts. Total 3.

Absent or not voting: None.

Fasbender requested a roll call vote on the original motion with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fleming, Forsgren, Galt, Hager, Halvorson, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Marks, Nichols, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 40.

Excused: Brown, Lien. Total 2.

Paired: Roberts, aye; Lockrem, no.

# FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Joint Resolution No. 37, introduced by Lien, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Indian Public Health to provide medical assistance to off-reservation Indians. Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 537, introduced by Hall: A bill for an act entitled: "An act to amend Section 23-3006, R.C.M. 1947, to provide for party registration of all elections." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 538, introduced by Hall: A bill for an act entitled: "An act to amend Sections 23-3006 and 23-3308, R.C.M. 1947, to provide for party registration and for a closed primary." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 539, introduced by Marks: A bill for an act entitled: "An act authorizing the state, counties, cities, towns and municipalities to apply fines collected for violations of Section 32-2142, R.C.M. 1947, to alcoholic or drug rehabilitation programs." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 540, introduced by Ainsworth: A bill for an act entitled: "An act to provide for the establishment and operation of a joint city-county library; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 541, introduced by Lee: A bill for an act entitled: "An act to amend Section 4-235, R.C.M. 1947, to remove the limitation of outstanding indebtedness which may be incurred by the Montana Liquor Control Board." Referred to Committee on State Administration.

House Bill No. 542, introduced by Holmes, Towe, Huennekens, Baucus, Kimble, H. Harper, Aageson, Murphy, Shelden, Gunderson, Cotton, Bardanoue: A bill for an act entitled: "An act to prevent discrimination in employment, public accommodations, education, and real property transactions; to establish a Commission on Human Rights; to authorize the creation of local commissions and to make uniform the law with reference thereto, and for other purposes; and repealing Sections 64-302 and 64-303." Referred to Committee on Judiciary.

House Bill No. 543, introduced by Ulmer, Marbut, Healy, Gunderson, Castles: A bill for an act entitled: "An act authorizing the Department of Social and Rehabilitation Services to purchase vocational rehabilitation services for handicapped persons; authorizing the department to promulgate rules and regulations under this act; and providing for the expenditure of funds for this purpose." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 544, introduced by Greely: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, to require county commissioners and city and town councils to seek out best terms for deposits of money; and deleting requirement for ratable distribution." Referred to Committee on Local Government.

House Bill No. 545, introduced by Greely (by request): A bill for an act entitled: "An act regulating persons who purport to be able to detect deception or to verify truth of statements through the use of instrumentation as lie detectors, polygraphs, deceptographs, and or similar or related devices and instruments; establishing licensing and or regulatory powers over all such persons and instruments; providing for administrative pro-



ceedings and court review; establishing minimum instrumentation requirements and prohibiting the use of instruments or devices which do not meet minimum instrumentation requirements; and providing for injunctions and penalties for violation of the provisions of this act." Referred to Committee on Judiciary.

House Bill No. 546, introduced by Hodges (by request): A bill for an act entitled: "An act making lawful the conducting of games of chance, commonly known as punch boards; defining terms; providing for the licensing and regulation of punch boards; and providing for the enforcement of this act." Referred to Committee on Judiciary.

House Bill No. 547, introduced by Burnett: A bill for an act entitled: "An act requiring the administrator, executor, and attorney to disclose his probate fee on the estate to the beneficiaries upon consideration of the case; and requiring a district court to publicly post its probate fee schedule." Referred to Committee on Judiciary.

House Bill No. 548, introduced by Bardanoue: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Public Employees' Retirement System and repealing Sections 68-101, 68-102, 68-201, 68-202, 68-203, 68-301, 68-302, 68-303, 68-401 through 68-405, 68-501, 68-601, 68-602, 68-603, 68-701 through 68-710, 68-801, 68-802, 68-901, 68-902, 68-1001 through 68-1005, 68-1101, 68-1201 and 68-1301 through 68-1320, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 549, introduced by Menahan, Forsgren, Holmes, Brown, Lucas, Bradley, Lynch: A bill for an act entitled: "An act providing for notification of nontenure teachers regarding their election or termination for the following year." Referred to Committee on Education.

House Bill No. 550, introduced by Bardanoue, Fagg: A bill for an act entitled: "An act adding new Sections to Chapter 47, Title 16, R.C.M. 1947; providing for the protection and enhancement of shoreland areas; county zoning; assistance by the Department of Natural Resources and Conservation; and zoning by that department upon default by a county." Referred to Committee on Natural Resources.

House Bill No. 551, introduced by Marbut, Hall, Fasbender: A bill for an act entitled: "An act to avoid jurisdictional conflict between states in child custody proceedings; to provide interstate judicial assistance in custody cases; and to discourage illegal schemes to gain possession of a child in contested custody proceedings." Referred to Committee on Judiciary.

Senate Joint Resolution No. 8, introduced by Bollinger, McOmber, Deschamps: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Montana Agricultural Stabilization and Conservation State Committee to adopt immediately the emergency measures now known by the Agricultural Research Service, Soil Conservation Service, Federal Extension Service, Experiment Stations and other agencies to reduce Montana's conserving base, to minimize summer fallowing, to maximize cropping flexibility, and to prevent further destruction of Montana's cropland and further pollution of Montana's water by saline-alkali seep. In accordance with the principles of conservation of natural resources in soil and water as set out in the Soil Conservation and Domestic Allotment Act, as amended. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 14, introduced by Moritz, Hazelbaker, Moore, Klindt, Bennett, McGowan, Story, Lowe, Drake, Manning, Graham, Sorensen, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting and urging that the Congress of the United States take effective action to restore to the State of Mon-

tana the full amount of the funds which have been legally apportioned to the state but which have been improperly reduced and curtailed by the executive branch of the federal government through the device of "contract controls" and "limitations of obligation". Referred to Committee on Highways and Transportation.

Senate Joint Resolution No. 22, introduced by Himsl, Cochrane, Moritz, Rosell, Sorensen, Zody, Hazelbaker, Bertsche, Keenan, Carl, Northey, Devine, James, Aber, Broeder: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of legislation leading to the adoption of a state-wide, uniform license fee system of taxation of automobiles, in lieu of the new car sales tax and personal property taxes with an anniversary system of licensing and registration of vehicles throughout the year, and report its findings to the Second Session of the Forty-Third Legislative Assembly, together with draft legislation for the implementation of such a system. Referred to Committee on Highways and Transportation.

Senate Bill No. 32, introduced by Lynch, Moore: A bill for an act entitled: "An act creating a judicial standards commission and specifying the composition and the qualifications of the members in compliance with Article VII, Section 11 of the 1972 Montana Constitution." Referred to Committee on Judiciary.

Senate Bill No. 92, introduced by Thiessen, McDonald, Nees: A bill for an act entitled: "An act to amend Section 89-1208, R.C.M. 1947, to raise the compensation of irrigation district commissioners from ten dollars (\$10) to twenty dollars (\$20) and to provide a mileage allowance of nine cents (\$.09) per mile." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 212, introduced by James: A bill for an act entitled: "An act amending Section 84-2207, R.C.M. 1947, to allow sixty (60) days for filing crude oil production and license tax statements and for payment of the tax; to provide that the statement and tax be sent to the Department of Revenue rather than the State Treasurer; to provide that overpayment of the tax be applied as a credit or refund; and providing an effective date." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House revolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lombardi in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That House Bill No. 16 be moved to the bottom of the list.

That House Bill No. 17 be moved to the bottom of the list.

That House Bill No. 18 be passed for the day.

That House Bill No. 58 be amended in Section 3, page 2, line 4 of the second reading bill; being page 2, Section 3, line 4 of the introduced bill, after the words "per year," by inserting in lieu thereof the words "and which" and

Further amend page 2, Section 3, lines 5 through 8 of the second reading bill; being page 2, Section 3, lines 5 through 7 of the introduced bill, by deleting the following words and punctuation, "[and which has

been so devoted and assessed as agricultural land for at least five (5) successive years immediately preceding the tax year in issue,]" and

Further amend, page 2, Section 3, line 10 of the second reading bill; being page 2, Section 3, line 9 of the introduced bill, after the word "use," by inserting the following new material: "In the event that a parcel of land agriculturally produces less than one thousand dollars (\$1,000) per year, or is less than five (5) acres in size, but in either case agriculturally produces fifteen percent (15%) or more of the owners annual gross income, the value of that land will be the value it has for agricultural use." and (87-2)

Be further amended on page 2, Section 4, lines 15 through 19, of the second reading bill; being page 2, Section 4, lines 14 through 18 of the introduced bill, by deleting in its entirety Subsection (1) "[ (1) It has been so devoted and assessed and has not changed ownership and no option has been executed by which the ownership could be changed, for at least the five (5) successive years immediately preceding the tax year for which valuation under this act is requested;]" and inserting in lieu thereof a new Subsection (1) to read as follows: "(1) It is being actively devoted to agriculture;" and

Further amend page 2, Subsection (2), line 24 of the second reading bill; being page 2, Subsection (2), line 23 of the introduced bill, by deleting after the word "program" the words "[have averaged]" and inserting in lieu thereof the word "totals" and

Further amend on page 3, Subsection (2), lines 1 and 2 of the second reading bill; being pages 2 and 3, lines 24, 25 and 1 respectively of the introduced bill, by deleting after the words "per year" the following material, "[during the five (5) year period immediately preceding the tax year in issue; and]" then inserting in lieu thereof the punctuation and word "; or" and

Further amend on page 3, Subsection (3), line 3 of the second reading bill; being page 3, Subsection (3), line 2 of the introduced bill, by re-numbering the present Subsection (3) to be Subsection (4), and

Further amend page 3, line 3, of the second reading bill; being page 3, line 2 of the introduced bill, by creating a new Subsection (3) to read as follows: "(3) It agriculturally produced the equivalent of fifteen percent (15%) or more of the owner's annual gross income; and" (85-0)

Be further amended in Section 6, page 4, line 19, of the second reading bill, being line 18 of the introduced bill, by striking the word and figures "[four (4)]" and inserting in lieu thereof the word and figures "ten (10)". (65-25)

And be further amended in Section 12, page 7, line 20 of the second reading bill; being page 7, Section 12, line 19 of the introduced bill, by inserting after the word "shall" the word "not", and

Further amend page 7, Section 12, lines 21 and 22, of the second reading bill; being page 7, Section 12, lines 20 and 21 of the introduced bill, by deleting after the word "impose" the following material: "[, which tax shall be paid by the owner of record before title passes]" (85-1)

And, as amended, do pass (80-9).

That House Bill No. 111 do pass (94-2).

That House Bill No. 126 do pass (74-13).

That House Bill No. 158 do pass (49-54).

That House Bill No. 172 do pass (64-25).



That House Bill No. 180 do pass (56-37).

That House Bill No. 182 do pass (67-21).

That House Bill No. 183 do pass (68-21).

That House Bill No. 229 do pass (89-2).

That House Bill No. 185 do pass (57-29).

That House Bill No. 186 do pass (79-13).

That all bills above House Bills Nos. 16 and 17 be moved to the bottom of the board.

That House Bill No. 16 be amended in Section 2, page 10, line 19, after the word "staff" by omitting the period and inserting in lieu thereof " , provided, however, space is reasonably available." (78-12)

And, further amend Section 15 of the second reading bill, page 23, line 24, after the word "tax" by inserting the words "not to exceed an amount appropriated therefor by the legislature", (87-2)

And further amend on page 26, Section 19, line 17, of the second reading bill and page 26, Section 19, line 7 of the introduced bill, after "assessed" by deleting "[at any time]" and inserting in lieu thereof "within three years", and (54-34)

Further amend, Section 19, line 17, page 26, following the word "assessed" by striking the words "[within three years]" and inserting in lieu thereof "at any time", (70-9)

And, as amended, do pass. (71-24).

That House Bill No. 17 do pass (60-34).

That House Bill No. 267 be amended by striking out in their entirety lines 20 through 23, both inclusive, on page 1 of the introduced bill, and inserting in lieu thereof the number and words as follows:

"2. The names of all owners, mortgagees and lienholders of record and any other claimants of the property of record, if known, or a statement that they are unknown, who must be styled defendants." (90-0)

And, as amended, do pass. (89-0).

That House Bill No. 277 do pass (87-2).

That the Committee rise and report.

LOMBARDI, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

### THIRD READING OF HOUSE BILLS

Gunderson moved to amend House Bill No. 147 on page 6, Section 11, line 18 of the Third Reading Bill, being page 6, Section 11, line 16 of the introduced bill, after the word "compilations.", by adding the following new material and punctuation: "This act shall not change or modify the methods of classification or assessment of real estate as provided for in Title 84, R.C.M. 1947, or in any law of this State." (92-1).

House Bill No. 147, as amended, was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges,



Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fleming, Forsgren, Galt, Hager, Halvorson, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Marks, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 40.

Paired: Roberts, aye; Lockrem, no; Lucas, aye, Hager, no.

Excused: Lien.

Absent or not voting: Ainsworth. Total 1.

House Bill No. 192 was passed by the following vote.

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Bennetts, Hubing, Marks, Olson, Rolfe. Total 5.

Absent or not voting: Ainsworth, Colberg, East, Lucas, Lundgren, Marbut, Selstad. Total 7.

House Bill No. 257 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Asbjornson, Barrett, Burnett, Castles, Clemow, Cotton, East, Ellerd, Galt, Greely, Hubing, Johnston, Jones, Kolstad, Laas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Smith, Walborn. Total 25.

Excused: Lien, Roberts. Total 2.

Absent or not voting: Ainsworth, Lucas, Ulmer. Total 3.

### THIRD READING OF SENATE BILLS

Senate Bill No. 21 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble,

Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Lockrem, Selstad. Total 2.

Excused: Lien, Roberts. Total 2.

Absent or not voting: Ainsworth, Burnett, Galt, Lucas, Smith, Ulmer. Total 6.

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Lien, Roberts. Total 2.

Absent or not voting: Ainsworth, Lucas, Ulmer. Total 3.

## REPORTS OF STANDING COMMITTEES

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do pass.

WATT, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do pass.

WATT, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do pass.

WATT, Chairman

Report adopted.

## MOTIONS AND RESOLUTIONS

Watt moved that House Bill No. 428 be taken from the Committee on Taxation and be rereferred to Committee on Education.

Motion carried.

Hall moved that the question of postponing bills from the first session to the second regular session be referred to the Rules Committee to see if it can be done and how.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 1, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### TWENTY-EIGHTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 1, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Lombardi, Lucas, Forsgren, Ellerd, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 27th Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

February 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 3 and 35.

QUILICI, Chairman

February 1, 1973

I have examined House Bill No. 3, introduced by me, and find the same to be correct.

GERKE, Speaker

The Speaker signed in open session House Bill No. 3.

February 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 5, 37, 44, 49, 66, 176, 206, 237, 239, 266, 269, 270, 328, 337, 339.

QUILICI, Chairman

February 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 58, 112, 118, and 143.

QUILICI, Chairman

February 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 111, 126, 158, 172, 180, 182, 183, 185, 186 and 229.

QUILICI, Chairman

February 1, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Pages terminated as of February 1, 1973:

Nick Kosovok  
Bill Headapohl  
Sarah Jakovac  
Julie Jensen  
Burley Bowler  
Lois Perry  
Jean Jackson  
Jeanette Sullivan

New pages as of February 1, 1973:

Greg Johnson  
Jan Leishman  
Ann Regan  
Joe Ruby  
Kerry Burkhardt  
Barbara Boggio  
Michael Johnson  
Tom Wester

EDLAND, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 be amended as follows:

Be amended on page 1, line 7 after the words "Legislature to" insert "one thousand" and,

Further amend on page 1, line 8 by striking the figure and punctuation "[(\$500)]" and inserting in lieu thereof "(\$1,500)" and,

Further amend on page 1, lines 8 and 9 by striking "[for the primary election and one thousand dollars (\$1,000) for the general election]" and,

Further amend on page 1, Section 1, line 17 by striking the figure and punctuation "[ (1) ]" and,

Further amend on page 2, Section 1, lines 10-14 by striking the entirety of "[Subsection 2]" and,

Further amend on page 2, Section 2, line 18 by striking the figure and punctuation "[ (1) ]" and,



Further amend on page 3, Section 2, lines 14-18 by striking all of "[Subsection 2]" and,

Further amend by inserting a new Section at the end of the old bill to read as follows:

"Section 3. All sums of money expended by a candidate for the state legislature together with all sums expended by persons and organizations supporting him in his campaign for the primary election and, if nominated, the primary and general election combined, shall not exceed one thousand five hundred dollars (\$1,500.00), the candidate having the discretion as to how much of said sum of \$1,500 shall be expended in the primary election and how much in the general election."

And, as amended, do pass.

GREELY, Vice-Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do pass.

GREELY, Vice-Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14, be amended as follows:

Amend on page 1, Section 1, line 21 by striking the words "[general and special]" and,

Further amend on page 1, Section 1, line 21 by striking the word "[for]" and,

Further amend on page 1, Section 1, line 22 by striking the entire line, and,

Further amend on page 1, Section 1, line 23 by striking the words "[the vote of the people]" and,

Further amend on page 2, Section 1, line 15 after the word "Montana" by inserting "and of the county in which he offers to vote"

And, as amended, be concurred in.

GREELY, Vice-Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be not concurred in.

GREELY, Vice-Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Hal-

vorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staig-miller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 85.

Noes: Lockrem, Lynch, Ulmer. Total 3.

Excused: Ellerd, Forsgren, Lombardi, Lucas. Total 4.

Absent or not voting: Bardanouve, Fleming, Lundgren, Roberts, Selstad, Stoltz, Yardley. Total 7.

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

LEE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

LEE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 be amended on page 4, Section 4, Subsection (2), line 24, after the word "attorney" by striking "[as guardian ad litem]", and

Further amend on page 5, Section 4, Subsection (2), at the beginning of line 5, by striking "[guardian ad litem]" and inserting in lieu thereof "attorney", and

Further amend on page 5, Section 4, Subsection (2), at the beginning of line 7, by striking "[guardian ad litem]" and inserting in lieu thereof "attorney", and

Further amend on page 5, Section 4, Subsection (2), at the beginning of line 9, by striking "[guardian ad litem]" and inserting in lieu thereof "attorney", and

Further amend on page 7, Section 6, line 14, after "report" by striking "[semi-annually]" and inserting in lieu thereof "annually", and

Further amend on page 8, Section 9, Subsection (1), line 19, after "permit" by inserting the word "annual", and

As amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 157, respectfully

report as follows: That House Bill No. 157 be amended on page 1, by striking all of the language after the enacting clause and inserting in lieu thereof:

"Section 1. The smoking of cigarettes, cigars or other devices using tobacco or other plant substances shall be prohibited in all enclosed places of public resort, assemblage, or amusement, accomodating five or more people, or, in lieu thereof, smoking shall be restricted to designated, well-ventilated areas within such enclosed public place.

"Section 2. A place of public resort, assemblage or amusement as used in this act shall be deemed to mean: A place of public resort, assemblage or amusement shall be defined to include, but not be limited to, any public place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, or use of any property or facilities, whether conducted for the entertainment, or for the benefit of use of those seeking health, recreation or rest, or for the sale of goods and merchandise, or for the rendering of personal service, or for public conveyance or transportation on land, water or in the air, including the stations and terminals thereof and the garaging of vehicles, or where public amusement, entertainment, sports or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates or assembles for amusement, recreation or public purposes, or public halls, public elevators, and public wash-rooms of buildings and structures, or any public library or any educational institution wholly or partially supported by public funds, or schools of special instruction, or nursery schools, or day care centers or children's camps", and

As amended, do pass.

LEE, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 be amended in the title on page 1, line 6, after the word "to" by inserting in lieu thereof the following words, "conduct a study to"

And further amend on page 1, lines 24 and 25, of the introduced bill after the word "to" by deleting the word "[establish]" and inserting in lieu thereof the words "conduct a study to determine the" and

Further amend page 2, line 4, after the word "to" by inserting the words, "conduct a study to"

And, as amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 128, respectfully submit as follows: That House Bill No. 128 be amended on page 1, line 4, after the figure and punctuation "54-131," by inserting the figures and punctuation "54-132, 54-133", and

Further amend on page 1, in the title, on line 14 after the figure "54-131" by inserting the punctuation, figures and word ", 54-132, 54-133", and

Further amend on page 1, in the title, line 14, after the figure and punctuation "1947;" by inserting the following words, figures and punctuation "amending Sections 54-132 and 54-133, R.C.M. 1947 by deleting references to Section 54-131, R.C.M. 1947;"

And further amend on page 7, Section 1, Subsection (23), line 18 after the word and punctuation "household." by inserting a new Subsection to read as follows: "(24) The term 'prescription' shall be given the meaning it has in R.C.M. 1947, Section 66-1502 (n).", and

Further amend on page 26, lines 19 through 23 by deleting Subsection (1) of Section 23 in its entirety, and further amend subsequent Subsections of said Section to conform numerically, and

Further amend on page 29, Section 23, Subsection (5), line 8, after the word and punctuation "authorization." by inserting the following material: "Section 24. Section 54-132, R.C.M. 1947 is amended to read as follows: '54-132. Criminal sale of dangerous drugs. (a) A person commits the offense of a criminal sale of dangerous drugs if he sells, manufactures, prepares, cultivates, compounds or processes any dangerous drug as defined in this act [and does not come within the exceptions of Section 3 (54-131)]

(b) A person convicted of criminal sale of dangerous drugs shall be imprisoned in the state prison for a term of not less than one (1) year nor more than life. Any person of the age of 21 years or under convicted of a first violation under this Section shall be presumed to be entitled to a deferred imposition of the sentence.'

Section 25. Section 54-133, R.C.M. 1947 is amended to read as follows: '54-133. Criminal possession of dangerous drugs. (a) A person commits the offense of criminal possession of dangerous drugs if he possesses any dangerous drug as defined in this act [and does not come within the exceptions of Section (54-131)].

(b) A person convicted of criminal possession of dangerous drugs, other than criminal possession of marijuana and its derivatives as hereinafter provided, shall be imprisoned by imprisonment in the state prison not to exceed five (5) years. Any person convicted of a criminal possession of marijuana or its derivatives in an amount, the aggregate weight of which does not exceed sixty (60) grams of marijuana or not one (1) gram of hashish, shall, for the first offense, be guilty of a misdemeanor and is punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in the county jail not to exceed one (1) year, or both such fine and imprisonment. A person convicted of a second, or subsequent, offense under this Subsection is punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in the county jail not to exceed one (1) year or in the state prison not to exceed three (3) years or by both such fine and imprisonment.

(c) A person of the age of twenty-one (21) years or under, convicted of a first violation under this Section shall be presumed to be entitled to a deferred imposition of sentence. Jurisdiction under this Section shall be exclusively in the district court," and

Further amend subsequent Sections to conform numerically, and

As amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)



January 31, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do pass.

LEE, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125, be amended on page 1, line 10, in the title, after the word "PROGRAM;" by striking the word "[and]", and

Be further amended on page 1, line 12, in the title, after the "1947", by adding the following material: "; and providing an effective date", and

Be further amended on page 2, Section 1, line 7, after the "January 1," by striking the year "[1973]" and inserting in lieu thereof the year "1947", and

Be further amended on page 8, after line 13, by adding a new Section to read as follows: "Section 5. This act is effective on July 1, 1974.", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

GUNDERSON, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do pass.

GUNDERSON, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

GUNDERSON, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do pass.

GUNDERSON, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do pass.

GUNDERSON, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do pass.

FLEMING, Chairman

Report adopted.

January 31, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 4, respectfully report as follows: That House Resolution No. 4 be amended on page 2, lines 4 through 7 by deleting the words "[WHEREAS, This action subverts the intent of public policy declared by Congress and is therefore an unconstitutional usurpation of power by the executive branch of government in our federal system.]"

Be further amended on page 2, line 12, after "Richard", by deleting the letter "[L]" and inserting the letter "M" in lieu thereof to correct the typographical error,

And, as amended, be adopted.

FLEMING, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 30, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 be amended on page 2, Section 1, line 15, after the words "entitled to" by inserting the word "display", and

Be further amended on page 2, Section 1, line 16, after the word "qualify" by striking the words "[and shall return their plates to the county treasurer at the end of their term]", and

As amended, do pass.

LAAS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 1, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do pass.

SHELDEN, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 be amended on page 2, line 12, between the words "the" and "legislature" by inserting the year "1974",

And, as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 do pass.

BRAND, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be concurred in.

BRAND, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 74, respectfully report as follows: That Senate Bill No. 74 be concurred in.

BRAND, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 161, respectfully report as follows: That Senate Bill No. 161 be concurred in.

BRAND, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

WATT, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do pass.

WATT, Chairman

Report adopted.

#### REPORTS OF SELECT COMMITTEES

January 31, 1973

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 16, beg leave to report as follows:

That we met this day and considered House Committee of the Whole Amendments dated January 24, 1973, to Senate Bill No. 16 and recommend as follows:

That the House recede from the House Committee of the Whole

Amendments to Senate Bill No. 16, dated January 24, 1973, and that Senate Bill No. 16 be concurred in.

For the House: Healy  
Clemow

For the Senate: Graham  
Turnage  
Groff

Healy moved for the adoption of the conference committee report.

As a substitute motion, Greely moved that the conference committee report be not adopted.

The substitute motion carried by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Kendall, Kessner, Kimble, Lockrem, Manuel, Marbut, Norman, Olson, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Zimmer. Total 56.

Noes: Aageson, Asbjornson, Bardanouve, Barrett, Brand, Burnett, Campbell, Clemow, Cotton, East, Flynn, Galt, Healy, Hubing, Jacobsen, Johnston, Jones, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, Lynch, McKittrick, Marks, Mehrens, Menahan, Murphy, Prevost, Quilici, Schepens, Selstad, Smith, Walborn, Warfield, Mr. Speaker. Total 39.

Excused: Ellerd, Forsgren, Lombardi, Lucas. Total 4.

Absent or not voting: Nichols. Total 1.

### MOTIONS AND RESOLUTIONS

Fasbender moved that a free conference committee be appointed by the Speaker to meet with a like committee from the Senate on Senate Bill No. 16.

Motion carried.

Hall moved that Senate Bill No. 42 be taken from Second Reading and be rereferred to Committee on Finance and Claims.

Motion carried.

### MESSAGES FROM THE OTHER HOUSE

January 31, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Joint Senate and House Conference Committee report that the House recede from the House Committee of the Whole Amendments to Senate Bill No. 16.

Respectfully yours,

JOHN N. HANSON  
Acting Secretary of the Senate

January 31, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times



and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 10, introduced by Shelden and Lucas (by request).

House Bill No. 34, introduced by Lucas and Shelden (by request).

Respectfully yours,

JOHN N. HANSON

Acting Secretary of the Senate

January 31, 1973

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 5, introduced by Lynch and Moore (by request)

Senate Bill No. 97, introduced by Deschamps, Keenan, et al

Senate Bill No. 106, introduced by Groff, Bertsche, et al

Senate Bill No. 146, introduced by Devine, Hall and McDonald

Senate Bill No. 149, introduced by McKeon

Senate Bill No. 109, introduced by Turnage and McKeon

Senate Bill No. 150, introduced by Carl, Siderius, et al

Senate Bill No. 175, introduced by Goodheart and Turnage

Senate Bill No. 203, introduced by Lynch.

Respectfully yours,

JOHN N. HANSON

Acting Secretary of the Senate

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 188 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Burnett, Cox, East, Hubing, Jones, Lockrem, Lund, Marks. Total 8.

Paired: Ellerd, Aye; Lockrem, Nay.

Excused: Forsgren, Lombardi, Lucas. Total 3.

Absent or not voting: Castles, Galt, Hageman, Jacobsen, Nichols, Schye, Zimmer. Total 7.

House Bill No. 190 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Ellerd, Forsgren, Lombardi, Lucas. Total 4.

Absent or not voting: Castles, Hageman, Nichols. Total 3.

House Bill No. 193 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Ellerd, Forsgren, Lombardi, Lucas. Total 4.

Absent or not voting: Castles, Nichols, Rolfe. Total 3.

House Bill No. 254 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, East, Ellerd, Galt, Haines, Holtz, Hubing, Jones, Kessner, Lockrem, Lundgren, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn. Total 25.

Paired: Ellerd, Nay, Kvaalen, Aye; Lockrem, Nay, Lombardi, Aye.

Excused: Forsgren. Total 1.

Absent or not voting: Castles, Lucas, Nichols. Total 3.

House Bill No. 324 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Smith. Total 2.

Excused: Ellerd, Forsgren, Lombardi, Lucas. Total 4.

Absent or not voting: Castles, Clemow, Hall, Nichols, Selstad. Total 5.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Bill No. 552, introduced by Fagg: A bill for an act entitled: "An act amending Section 23-3101, R.C.M. 1947, to require election precinct boundaries to conform to legislative district boundaries." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 553, introduced by Menahan, Kosena, Mehrens, Lee: A bill for an act entitled: "An act to exempt from the Montana personal income tax the income of Montana citizens on active duty in the armed services of the United States who have been physically present in the state for less than thirty (30) days in a calendar year." Referred to Committee on Taxation.

House Bill No. 554, introduced by Haines, Kolstad, Murphy: A bill for an act entitled: "An act establishing a program for the control of litter within the state; establishing the Department of Natural Resources and Conservation as the enforcing agency; prohibiting littering and providing fines therefore; establishing the responsibility for the removal of litter; establishing a litter assessment upon certain items; establishing a litter control account within the general fund; repealing Sections 94-3335 through 94-3344, R.C.M. 1947; and providing for an effective date." Referred to Committee on Natural Resources.

House Bill No. 555, introduced by Colberg, Regan, Holmes, Huennekens, Towe, Bradley, Hodges, Staigmillar, R. Harper, Driscoll, Stoltz, Bennetts, Schepens, H. Harper, Prevost, Greely, Gunderson, Kimble, Murphy, Baucus, Marbut, Turman, Yardley: A bill for an act entitled: "An act creating the "Surface Mine Land Conservation and Reclamation Act of 1973"; providing for the reclamation of land subject to any disturbance from surface mining; requiring licensing of surface mine operators in this state; requiring permit for each surface mine operation; requiring reclamation plan of land surface and bond before a permit is issued; authorizing the commissioner of the Department of State Lands to administer the act; granting rule-making authority; providing penalties; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 556, introduced by Fagg, Regan, Holmes, Turman, Cox, Huennekens, Towe, Marbut: A bill for an act entitled: "An act establishing prerequisites and procedures for municipalities to annex contiguous



areas and authorizing freeholders to petition for annexation; requiring municipalities to plan the extension of governmental services to such areas; and providing for judicial review of annexation proceedings." Referred to Committee on Local Government.

House Bill No. 557, introduced by Hall, Kolstad, Cox, Menahan, Turman, Lynch, Hager, Mehrens, Schepens, Lombardi, Quilici, Baeth, Yardley, Lee, Prevost, Halvorson, Regan, Brown, Tierney, Warfield, Brand, Healy, Holtz, R. Harper, Huennekens, Gerke, H. Harper, Murphy, Aageson, Holmes, Kosena, Stephens, Mercer, Driscoll, Jones: A bill for an act entitled: "An act to be known as the Uniform Probate Code" relating to affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; consolidating and revising the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; providing for the validity and effect of certain nontestamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; repealing Section 91-1501, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 5, introduced by Lynch, Moore: A bill for an act entitled: "An act implementing Article II, Section 29 of the 1972 Montana Constitution, by providing for an award including necessary expenses of litigation when the private property owner prevails; repealing Section 93-9921, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 97, introduced by Deschamps, Keenan, Lowe, Harrison, Northey, Bertsche, Cochrane, Flynn, Moritz, Broeder, Gilfeather, Hall, Jensen, Siderius, Breeden, Story, Klindt, Himsl, Shea, Drake, McDonald, Bennett, Rosell, Moore, Hazelbaker, McKeon, Vainio, Lynch, McCallum, McGowan, Carl, Sorenson: A bill for an act entitled: "An act amending Sections 32-2144 and 32-2145, R.C.M. 1947, by establishing a maximum speed limit of seventy (70) miles per hour for any vehicle operated or driven on any public highway in Montana; and by deleting provisions relating to a maximum nighttime speed limit." Referred to Committee on Highways and Transportation.

Senate Bill No. 106, introduced by Groff, Bertsche, Thiessen, Gilfeather: A bill for an act entitled: "An act to amend Section 75-7204, R.C.M. 1947, to pay each school district's obligation for employer contributions to the Federal Social Security System from the schools district's retirement fund." Referred to Committee on Education.

Senate Bill No. 109, introduced by Turnage, McKeon: A bill for an act entitled: "An act creating a Montana Criminal Code, to codify and generally revise the statutes concerning criminal offenses; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 146, introduced by Devine, Hall, McDonald: A bill for an act entitled: "An act amending Section 11-1814, R.C.M. 1947, by providing for the abolition of residency requirements for policemen." Referred to Committee on Local Government.

Senate Bill No. 149, introduced by McKeon: A bill for an act entitled: "An act amending Section 21-103, R.C.M. 1947, providing "irreconcilable differences" as an additional cause for divorce; and providing that the factual circumstances supporting that cause need not be pleaded in the particular." Referred to Committee on Judiciary.

Senate Bill No. 150, introduced by Carl, Siderius, McCallum, Goodheart: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, requiring nonresident juveniles under the age of eighteen (18) to have completed a course in the safe handling of firearms before purchasing



a nonresident hunting license." Referred to Committee on Fish and Game.

Senate Bill No. 175, introduced by Goodheart, Turnage: A bill for an act entitled: "An act to amend Title 84, Chapter 18, R.C.M. 1947, by adding a new Section designated 84-1840.1, R. C. M. 1947, allocating funds to be used by the Department of Highways for the participation with railroads for erection of railroad grade crossing protection on roads and streets except those on the Interstate, primary or urban systems; providing for reimbursement of the fund at the beginning of each fiscal year; providing that the Department of Highways shall select the crossings to be protected and that participation be on the same basis as applicable on federal aid roads; authorizing counties and cities to use funds allocated to them from gasoline tax money for participating in grade crossing protection; repealing all acts and parts of acts in conflict herewith, provided, however, that Sections 72-164 to 72-168, R.C.M. 1947, inclusive, are not repealed; and providing that this act shall be effective on passage and approval." Referred to Committee on Highways and Transportation.

Senate Bill No. 203, introduced by Lynch: A bill for an act entitled: "An act to allow the registered owner of a passenger motor vehicle registered with the Registrar of Motor Vehicles to obtain personalized license plates." Referred to Committee on Highways and Transportation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Ulmer in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 18 be amended in the Title by striking the figure in line 13, page 1 of the Second Reading Bill, "79-1216," and inserting in lieu thereof the word and figures "79-1211, 79-1213, 79-1214, and 79-1216," and further amend by adding after the figure "1947" on line 14, page 1 of the Second Reading Bill the words and figures "and amending Section 79-1215, R.C.M. 1947." (85-0)

And further amend by adding after Subsection (3), page 13, following line 6, a new Subsection (4) reading as follows:

"(4) A fund consisting of gifts, donations, grants, legacies, bequests, devises and other contributions made or given for a specific purpose or under conditions expressed in the gift, donation, grant, legacy, bequest, devise or contribution on the part of the State of Montana to be observed. If such gift, donation, grant, legacy, bequest, devise, or contribution permits investment, and is not otherwise restricted by its terms, it may be treated jointly with other such gifts, donations, grants, legacies, bequests, devises, or contributions:" (58-23)

And further amend by adding after the words "by law" on line 1, page 12, the words, "or by the provisions of a gift, donation, grant, legacy, bequest or devise from which the fund account originates"

And further amend by striking the sentence beginning on line 5, page 12, with the words "all investments" and ending with the words "pro rata" on line 8, page 12, and inserting in lieu thereof the following:

"If within the list hereinafter of separate investment funds, more than one investment fund is included which may be held jointly with others under the same separate listing, all investments purchased for that separate

investment fund shall be held jointly for all the accounts participating therein, which shall share all capital gains and losses and income pro rata."

And further amend by adding after the word "fund" in line 15, page 12, the following words and punctuation, "which may not be held jointly with other funds,"

And further amend by striking the word "and" in line 7, page 13, and by renumbering present Subsection (4) as Subsection (5). (83-1)

And further amend by adding after the word "through", in Section 9, on line 24, page 18, the following material: "79-1211, 79-1213, 79-1214, and" (81-1)

And further amend by adding after present Section 9, a new Section, to read as follows:

"Section 10. Section 79-1214, R.C.M. 1947, is amended to read as follows:

"79-1215. Records of Treasurer—publicity to contributors given by legislature. The State treasurer shall keep in a book provided for that purpose, a permanent record of all gifts, donations, grants, legacies, bequests, devises and other contributions administered by the State Board of [Land Commissioners] Investments under [Article XXI of the constitution and] acts and parts of acts [(carrying this part of the constitution into effect] providing therefor or accepting the same on the part of the State of Montana. This record shall show the names of the givers, the purposes of the contributions and all essential facts relating thereto. A duplicate of this record shall be kept by the Secretary of State. These records shall be preserved perpetually as a lasting memorial to the givers and their interest in society. The legislature [legislative assembly] shall from time to time make provisions for suitable publicity concerning these benefactors of their fellow men." (82-4)

And, as amended, do pass.

That House Bill No. 318 do pass (74-0).

That House Bill No. 334 do pass (80-1).

That House Bill No. 362 do pass (80-0).

That House Bill No. 376 do pass (82-0).

That House Bill No. 377 do pass (82-0).

That House Bill No. 378 do pass (79-0).

That House Bill No. 379 do pass (79-0).

That House Bill No. 380 do pass (76-0).

That House Bill No. 381 do pass (78-0).

That House Bill No. 382 do pass (76-3).

That House Joint Resolution No. 16 do pass (83-0).

That Senate Joint Resolution No. 5 be concurred in (82-0).

That Senate Bill No. 91 be concurred in (86-0).

That House Bill No. 136 be amended in the Title, page 1, lines 10 and 11 of the Second Reading Bill, after the word "election" by striking the words "[and authorizing the issuance of revenue bonds without an election]", this being page 1, in the Title, lines 10 and 11 of the introduced bill, (77-0)

(Material in brackets denotes cancelled type.)

And, as amended, do pass (67-18).

That House Bill No. 164 do pass (87-0).

That House Bill No. 191 do pass (90-0).

That House Bill No. 231 be moved to the bottom of the board.

That House Bill No. 256 do pass (80-5).

That House Bill No. 282 do pass (83-2).

That House Joint Resolution No. 17 do pass (71-13).

That Senate Bill No. 110 be passed to the bottom of the board.

That Senate Bill No. 167 be concurred in (85-0).

That Senate Bill No. 17 be passed for the day.

That Senate Bill No. 107 be passed to the bottom of the board.

That Senate Bill No. 77 be concurred in (84-0).

That House Bill No. 231 do pass (86-0).

That Senate Bills Nos. 110 and 107 be passed for the day.

That Senate Amendments to House Bill No. 14 be concurred in (82-2).

That Senate Amendment to House Bill No. 31 be passed until Monday.

That the Committee rise and report.

ULMER, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Kvaalen, having voted on the prevailing side in requesting a free conference committee to consider Senate Bill No. 16, moved that the House reconsider its action.

Motion failed.

Fasbender moved that the House adjourn until 1:30 p.m., February 2, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### TWENTY-NINTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 2, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Zimmer, Lien, Lucas, Lombardi, Forsgren, Ellerd, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-Eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

# REPORTS OF STANDING COMMITTEES

February 2, 1973

I have examined House Bill No. 41 introduced by me and find the same to be correct.

KOSENSA, Chairman

The Speaker signed House Bill No. 41 in open session.

February 1, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 3 and 40, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 41.

FLEMING, Vice-Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 108 and 54.

FLEMING, Vice-Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 96, 174, 198, 238, 275, 301, 312, 329, 347 and House Joint Resolutions Nos. 12 and 24.

FLEMING, Vice-Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 277, 318, 334, 362, 376, 377, 378, 379, 380, 381 and 382.

FLEMING, Vice-Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:



Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lund, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 67.

Noes: Bardanouve, Baucus, Bradley, Brand, Colberg, Driscoll, Greely, Hall, H. Harper, R. Harper, Holmes, Huennekens, Kimble, McKittrick, Marbut, Murphy, Norman, Regan, Towe, Turman. Total 20.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Bennetts, Cotton, Kvaalen, Lundgren, Roberts, Yardley, Brown. Total 7.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 be amended in the Title on page 1, line 10, after the word "months;" by striking the words "[adding an age requirement;], and

Be further amended in Section 1, Subsection (1), page 2, line 21, by striking the following material: "(1) Be twenty-one (21) years of age or older.", and

Be further amended by renumbering subsequent Subsections to conform numerically, and

Be further amended in Section 1, Subsection (3), page 5, line 11, after the word "hours" by striking the following material: "[extending over a period of ten (10) consecutive months]", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 do pass.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Hageman, Hager, Haines, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith,

Staigmiller, Swanberg, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 64.

Noes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Greely, Gunderson, Hall, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, McKittrick, Marbut, Murphy, Roberts, Shelden, Stephens, Stoltz, Tierney, Towe, Turman, Warfield, Yardley. Total 27.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Cotton, Lee, Norman. Total 3.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 be amended in Section 1, page 1, line 16, after the word "printing.", by deleting the following material: "[it is hereby made the duty of the]", and inserting in lieu thereof the following: "The", and

Be further amended in Section 4, page 4, line 1, after the word "act" by deleting the following material: "[and shall be required to accept the lowest bid conditioned on the bidder being able to meet the conditions set forth in Section 16-1231]", and

Be further amended in Section 1, page 2, starting with line 5 through and including line 8 by deleting in its entirety all the material contained therein, and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 be amended on page 1, Section 1, Subsection (1), line 18, after the word "buyer" by inserting the following new material: "except that no such consent shall be necessary for assignment from a financial institution to the original retail seller", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do pass.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 75, respectfully report as follows: That Senate Bill No. 75 be concurred in.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be concurred in.

MEHRENS, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 170, respectfully report as follows: That Senate Bill No. 170 be concurred in.

MEHRENS, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do pass.

WATT, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do not pass.

KOSENA, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towle, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 82.

Noes: Baeth, R. Harper, Kendall, Roberts, Shelden. Total 5.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Bell, Colberg, Cotton, Holmes, Huennekens, Lundgren, Yardley. Total 7.

February 2, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

KOSENA, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 do pass.

KOSENSA, Chairman

Report adopted.

# MESSAGES FROM THE SENATE

February 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution have been read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 28, introduced by Lynch and Moore (by request)

Senate Bill No. 70, introduced by Moore and McNamer

Senate Bill No. 71, introduced by Moore and McNamer

Senate Bill No. 160, introduced by McOmber, Goodheart, et al

Senate Bill No. 184, introduced by Nees, Bollinger, et al

Senate Bill No. 194, introduced by Himsl and Manning

Senate Bill No. 195, introduced by Himsl and Manning

Senate Bill No. 210, introduced by James

Senate Bill No. 228, introduced by Bennett and Lowe

Senate Bill No. 229, introduced by Lowe and Bennett

Senate Bill No. 292, introduced by Zody

Senate Bill No. 304, introduced by Hazelbaker

Senate Bill No. 309, introduced by McDonald

Senate Joint Resolution No. 17, introduced by McOmber, DeWolfe, et al

Respectfully yours,

WALTER H. MARSHALL

Secretary of State

# MOTIONS AND RESOLUTIONS

Kosena moved that House Bill No. 368 be taken from the Committee on Local Government and be rereferred to Committee on Judiciary.

Motion carried.

Fasbender moved that House Bills Nos. 222 and 223 be taken from Printing and be rereferred to Committee on Finance and Claims.

Motion carried.

# SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.



Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 5 be passed to the bottom of the board.

That House Bill No. 37 do pass (83-4).

That House Bill No. 44 be amended by adding a new Section to read as follows: "Section 3. Enforcement of this act shall be vested with the Public Service Commission of the State of Montana which shall have in connection therewith the powers set forth in Section 72-119, R.C.M. 1947, and Section 72-153, R.C.M. 1947."

And, as amended, do pass (66-27).

That House Bill No. 49 do pass (84-2).

That House Bill No. 66 do pass (75-10).

That House Bill No. 176 be passed for the day.

That House Bill No. 206 do pass (82-0).

That House Bill No. 237 and House Bill No. 239 be passed for the day.

That House Bill No. 266 do pass (73-2).

That House Bill No. 269 do pass (73-16).

That House Bill No. 270 do pass (83-0).

That House Bill No. 328 be passed until Monday next.

That House Bill No. 337 be passed until Tuesday next.

That House Bill No. 339 do pass (52-25).

That Senate Bill No. 14 be concurred in (75-5).

That Senate Bill No. 17 be amended in Section 1, page 2, line 7, of the Third Reading Bill by striking the words and figures "[twenty-five dollars (\$25.00)]" and inserting the words and figures "thirty-six dollars (\$36.00)." (50-43).

And, further amend in the Title and Section 1, page 2, line 1 of the Third Reading Bill by striking the words and figures "[twelve cents (12¢)]" and inserting the words and figures "nine cents (9¢)",

Further amend by striking the words and figures "[twelve cents (12¢)]" in line 25, page 2, and inserting the words and figures "nine cents (9¢)",

And, as amended, be concurred in (57-37).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 36 be concurred in (73-10).

That Senate Bill No. 74 be concurred in (77-0).

That Senate Bill No. 102 be concurred in (74-14).

That Senate Bill No. 107 be concurred in (78-2).

That Senate Bill No. 110 be concurred in (84-2).

That Senate Bill No. 161 be concurred in (79-4).

That House Bill No. 5 be amended in Section 1, page 2, by striking in line 9 the word "[termed]" and inserting in lieu thereof the word "determined",

And further amend by striking in line 11, the figure "[13]" and inserting in lieu thereof the figure and words "14, Subsections (4) and (5)."

And, as amended, do pass (87-0).

That the Committee rise and report.

GREELY, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

### MOTIONS AND RESOLUTIONS

Brand moved that House Bill No. 176 be taken from Second Reading and be rereferred to Committee on Labor and Employment Relations.

Motion carried.

Brand moved that House Bill No. 523 be taken from Committee on Business and Industry and be rereferred to Committee on Judiciary.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 558, introduced by Bennetts: A bill for an act entitled: "An act creating the State Commission for Human Rights, to eliminate and prevent discrimination due to race, religion, color, ancestry, sex, or age and education; and repealing Sections 64-302 and 64-303, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 559, introduced by Baucus, Bardanouve, Tierney, Greely, Murphy, Watt, Halvorson, H. Harper, Bradley: A bill for an act entitled: "An act providing for voter registration on and in the thirty (30) day period before an election day; allowing electors who have registered in this period to vote in the election; amending Sections 23-3011, 23-3012, 23-3015, 23-3018 and 23-3024, R.C.M. 1947; repealing Sections 23-2704, 23-3016 and 23-3017, R.C.M. 1947; and adding a new Section to be numbered 23-3104, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 560, introduced by Swanberg, Bell: A bill for an act entitled: "An act providing for a license fee for distillers of liquor." Referred to Committee on Business and Industry.

House Bill No. 561, introduced by Kvaalen, Nichols, Prevost, Lien, Jacobsen: A bill for an act entitled: "An act to submit to the qualified electors of Montana a new Section to be added to Article VIII of the Constitution of Montana limiting state property taxes to the support of the state's share of the basic elementary and secondary school system; and requiring such a levy to be approved by a vote of three-fifths (3/5) of the members of each house." Referred to Committee on Taxation.

House Bill No. 562, introduced by Huennekens: A bill for an act entitled: "An act to provide for state inspection, regulation and supervision of dams and reservoirs for safety purposes; and repealing Sections 89-701

through 89-714, 89-827 and 89-828, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 17, introduced by McOmber, DeWolfe, Nees, Rosell, Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging the public schools to include in their curricula courses on Indian history, culture and contemporary affairs and teacher training institutions to provide programs specifically designed to prepare teachers to teach Indian children. Referred to Committee on Education.

Senate Bill No. 28, introduced by Lynch, Moore: A bill for an act entitled: "An act providing for the filling of vacancies in the office of district court judge and supreme court justice to comply with Article VII, Section 8 of the 1972 Montana Constitution; repealing Sections 93-209, 93-220, 93-309, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 70, introduced by Moore, McNamer: A bill for an act entitled: "An act amending Section 54-133, R.C.M. 1947, by removing the presumption to a deferred imposition of sentence for the first violation of possession of dangerous drugs by a person twenty-one (21) years of age or under." Referred to Committee on Judiciary.

Senate Bill No. 71, introduced by Moore, McNamer: A bill for an act entitled: "An act amending Section 54-132, R.C.M. 1947, by removing the presumption to a deferred imposition of sentence for the first violation of sale of dangerous drugs by a person twenty-one (21) years of age or under." Referred to Committee on Judiciary.

Senate Bill No. 160, introduced by McOmber, Goodheart, Story, DeWolfe: A bill for an act entitled: "An act amending Section 89-1301, R.C.M. 1947, to raise the limit from ten thousand dollars (\$10,000) to twenty-five thousand dollars (\$25,000) for which irrigation district commissioners can contract for district business." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 184, introduced by Nees, Bollinger, Lowe, McOmber, Goodheart, Turnage, McGowan, Moore, Graham, Zody: A bill for an act entitled: "An act amending Section 32-3602, R.C.M. 1947, allowing counties with more than six thousand (6,000) feet of bridges and less than twenty million dollars (\$20,000,000) taxable value an additional bridge levy of two (2) mills." Referred to Committee on Local Government.

Senate Bill No. 194, introduced by Himsl, Manning: A bill for an act entitled: "An act to repeal Section 69-5219.1, R.C.M. 1947, pertaining to registration of registered medical facilities." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 195, introduced by Himsl, Manning: A bill for an act entitled: "An act to add a new Section to Title 16, Chapter 43, R.C.M. 1947, relating to public hospital districts; providing for a definition of the term 'hospital facilities' as used in the Chapter." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 210, introduced by James: A bill for an act entitled: "An act correcting certain errors and omissions and to clarify the intent of certain Sections of the 1971 Codification and General Revision of Title 75; and amending Sections 75-5916, 75-5941, 75-6303, 75-6410, 75-6412, 75-6508, 75-7810 and 75-8205, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 228, introduced by Bennett, Lowe: A bill for an act entitled: "An act amending Section 16-1803.1, R.C.M. 1947, to include public work or construction projects divided into several projects which are constructed in different time periods or over an extended period of time." Referred to Committee on Local Government.

Senate Bill No. 229, introduced by Lowe, Bennett: A bill for an act entitled: "An act amending Section 11-1202, R.C.M. 1947, to include public work or construction projects divided into several projects which are constructed in different time periods or over an extended period of time." Referred to Committee on Local Government.

Senate Bill No. 292, introduced by Zody: A bill for an act entitled: "An act to amend Sections 69-5601, 69-5602, 69-5603, 69-5604, 69-5605, 69-5607, R.C.M. 1947, relating to the definitions, administration of the act, rules and regulations, license fees, enforcement and related matters." Referred to Committee on Highways and Transportation.

Senate Bill No. 304, introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 53-438, R.C.M. 1947, to prohibit the attachment of reduced limits endorsements to motor vehicle liability policies." Referred to Committee on Business and Industry.

Senate Bill No. 309, introduced by McDonald: A bill for an act entitled: "An act to repeal the "Oleomargarine Law" and other references to oleomargarine; repealing Sections 3-24-125, 27-501 through 27-503, 27-505, and 27-507 through 27-523, R.C.M. 1947." Referred to Committee on Business and Industry.

## REPORTS OF STANDING COMMITTEES

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

WATT, Chairman

Report adopted.

The Speaker signed in open session Senate Bills Nos. 24 and 25.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 58 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schye, Seifert, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Ainsworth, Bardanoue, Burnett, Cox, Glennen, Jones, Kessner, Rolfe, Selstad. Total 9.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Bell, Castles, Holtz, Manuel, Schepens, Stephens. Total 6.

House Bill No. 111 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bradley, Brand, Brown, Campbell, Castles, Cotton, Driscoll, East, Edland, Fagg,



Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Baucus, Bell, Bennetts, Burnett, Clemow, Colberg, Cox, Hageman, Jones, Kessner, Kimble, Kolstad, Norman, Selstad, Staigmiller. Total 15.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Bardanouve, Galt, Hubing, Stephens. Total 4.

House Bill No. 112 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Ainsworth, Asbjornson, Brand, Burnett, Cotton, Hager, Hubing, Jacobsen, Johnston, Kolstad, Kosena, Lockrem, Lund, Mehrens, Menahan. Total 15.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Stephens. Total 1.

House Bill No. 118 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Lockrem, Menahan, Mercer, Seifert. Total 4.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Cotton, Selstad. Total 2.

House Bill No. 126 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kimble, Kvaalen, Lockrem, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mercer, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert,

Selstad, Shelden, Smith, Staigmillar, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Bardanouve, Brand, Burnett, Driscoll, Edland, Gunderson, Hageman, Healy, Jacobsen, Johnston, Kessner, Kolstad, Laas, Lee, Lynch, Mehrens, Menahan, Murphy, Quilici, Stephens. Total 20.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Kosena, Stoltz. Total 2.

House Bill No. 143 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Bell, Galt, Kvaalen, Olson, Prevost, Schye. Total 6.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: None.

House Bill No. 158 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lee, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Flynn, Galt, Glennen, Hager, Haines, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Laas, Lockrem, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Turner, Ulmer, Walborn. Total 42.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Warfield. Total 1.

House Bill No. 172 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Asbjornson, Barrett, Burnett, Clemow, Cotton, Cox, East, Galt, Haines, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lundgren, Mercer, Nichols, Olson, Seifert, Selstad, Smith, Ulmer, Walborn. Total 24.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Huennekens. Total 1.

Kvaalen moved that House Bill No. 180 be taken from Third Reading and be rereferred to Committee on State Administration.

Motion failed.

House Bill No. 180 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Mr. Speaker. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield, Yardley. Total 41.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Bennetts, Tierney. Total 2.

House Bill No. 182 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Asbjornson, Barrett, East, Hager, Haines, Holtz, Jones, Kessner, Kvaalen, Lockrem, Olson, Rolfe, Selstad, Smith, Ulmer, Walborn. Total 16.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Galt, Lundgren, Tierney. Total 3.

House Bill No. 183 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Ainsworth, Asbjornson, Barrett, Burnett, Haines, Jones, Kessner, Kvaalen, Lockrem, Lundgren, Mercer, Olson, Rolfe, Selstad, Smith, Ulmer, Walborn. Total 17.



Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Galt, Hager, Tierney. Total 3.

House Bill No. 185 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Clemow, Haines, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 23.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Galt, Lundgren. Total 2.

House Bill No. 186 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Haines, Jones, Kessner, Kvaalen, Lockrem, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn. Total 19.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Galt, Lundgren, Hubing, Jacobsen. Total 4.

House Bill No. 229 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson, Brand, Kvaalen. Total 3.



## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson. Total 1.

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson, Lund. Total 2.

Senate Bill No. 167 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson, Jones. Total 2.

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson, Ainsworth, Jones, Schye, Selstad. Total 5.

Senate Amendment to House Bill No. 14 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kvaalen, Laas, Lee, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Colberg, H. Harper, Huennekens, Tierney. Total 4.

Excused: Ellerd, Forsgren, Lien, Lombardi, Lucas, Zimmer. Total 6.

Absent or not voting: Aageson, Bell, Bradley, East, Fagg, Hubing, Kessner, Kimble, Kosena, Menahan, Regan, Schye, Smith. Total 13.

Fasbender moved that the House adjourn until 10:00 a.m., February 3.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## THIRTIETH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 3, 1973

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Zimmer, Lombardi, Lucas and Forsgren, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 29th Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

February 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 152, 171, 230, 272, 308, 314, 332, 346, 352, 367, 392, 416, 422 and House Joint Resolution No. 32.

QUILICI, Chairman

February 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 69 and 267.

QUILICI, Chairman

February 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 20.

QUILICI, Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 41, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 37, 49, 66, 206, 231, 256, 266, 269, 270, 282, 339, and House Joint Resolution No. 17.

QUILICI, Chairman

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 be amended on page 1, line 8, title, after the word "board" by deleting the punctuation mark "[,]" and inserting in lieu thereof the word "and", and

Be further amended on page 1, line 9, title, after the word "judges" by deleting the words and punctuation "[retirement board, and the teachers]", and

Be further amended on page 1, lines 11 and 12, title, after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 1, line 13, title, after the figures "82A-210" by deleting the punctuation, numbers and word, "82A-211 and 82A-212," and inserting in lieu thereof the new material "and 82A-211," and

Be further amended on page 1, section 1, line 23 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 2, section 1, line 4 by deleting the words "teachers' and public employees'", and

Be further amended on page 2, section 1, subsection (2), line 9 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 2, section 1, subsection (2), line 15 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 2, section 1, subsection (3), line 21 after the word "of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 3, section 1, subsection (3), line 2, by deleting the words "[teachers' and public employees']", and

Be further amended on page 3, section 1, subsection (4), lines 4 through 14 by deleting the material, "[ (4) The teachers' retirement board, provided for in title 75, chapter 62, is abolished, and its functions, except the quasi-judicial functions transferred to the board of teachers' and public employees' retirement in section 82A-216, are transferred to the department of administration. Unless inconsistent with this title, any reference in the Revised Codes of Montana, 1947, to the teachers' retirement board, except the references relating to the quasi-judicial functions transferred to the board of teachers' and public employees' retirement in section 82A-216, means the department of administration.]", and

Be further amended on page 3, section 2, line 17 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on pages 3 and 4, section 2, subsection (3), lines 24, 25, 1, 2, 3, 4, 5, 6 and 7 after the parenthesis and number "(3)" by deleting all the material "[The board consists of a representative of each of the following five (5) retirement systems, appointed by the governor as prescribed in section 82A-112(1).]"

[(a) public employees' retirement system;]

[(b) the teachers' retirement system;]

[(c) the judges' retirement system;]

[(d) the highway patrolmen's retirement system;]

[(e) the game wardens' retirement system.]

and inserting in lieu thereof the new material "Board consists of five (5) members appointed by the governor giving due consideration to respective retirement system affected and as prescribed in section 82A-112(1).", and

Be further amended on page 4, section 2, line 12 by deleting the words "[teachers' and public employees']", and

Be further amended on page 4, section 2, line 16 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 5, section 2, line 3 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 5, section 2, lines 4 and 5 after the words "board of" by deleting the words "[teachers' and public employees']", and

Be further amended on page 5, section 2, subsection (2), lines 6 through 15 by deleting all the material "[ (2) The quasi-judicial functions



of the teachers' retirement board, which are contained in title 75, chapter 62 (pertaining to the teachers' retirement system), are transferred to the board of teachers' and public employees' retirement. Unless inconsistent with this title, any reference in title 75, chapter 62, to the teachers' retirement board relating to the quasi-judicial functions transferred to the board of teachers' and public employees' retirement means the board of teachers and public employees' retirement.], and

Be further amended on page 5, section 2, subsection (3), line 16 by striking the parenthesis and number "[ (3) ]" and inserting in lieu thereof the new material "(2)", and

Be further amended on page 5, section 2, line 20 by deleting the material "[teachers' and public employees']", and

Be further amended on page 5, section 2, line 24 after the words "board of" by deleting the material "[teachers' and public employees']", and

Be further amended on page 5, section 2, line 25 after the words "board of" by deleting the material "[teachers' and public employees']", and

Be further amended on page 6, section 2, line 2 by deleting the parenthesis and number "[ (4) ]" and inserting in lieu thereof the new material "(3)", and

Be further amended on page 6, section 2, lines 5 and 6 after the words, "board of" by deleting the material "[teachers' and public employees']", and

Be further amended on page 6, section 2, lines 9 and 10 after the words "board of" by deleting the material "[teachers' and public employees']", and

Be further amended on page 6, section 2, lines 10 and 11 after the words "board of" by deleting the material "[teachers' and public employees']", and

Be further amended on page 6, section 3, line 12 after the numbers "82A-210" by deleting the material "[, 82A-211 and 82A-212,]" and inserting in lieu thereof the new material "and 82A-211,".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 be amended on page 1, section 1, line 9 after the word "numbered" by deleting the material "[93-701-7]" and inserting in lieu thereof the new material "93-7108", and

Be further amended on page 1, section 1, line 10 after the word "follows:" by deleting the material "[93-701-7]" and inserting in lieu thereof the new material "93-7018", and

Be further amended on page 1, section 1, line 15 after the word "cannot" by inserting the new material "without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he", and

Be further amended on page 1, section 1, line 23 after the word "employed" by inserting the new material "without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do not pass.

HALL, Chairman

Bradley moved, as a substitute motion, that House Bill No. 411 be printed and placed on Second Reading. A recorded vote was requested, with the ayes and nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Bardonoue, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Flynn, Greely, H. Harper, R. Harper, Hodges, Jacobsen, Jones, Kimble, Lundgren, Lynch, Marbut, Murphy, Norman, Regan, Roberts, Schye, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Watt. Total 31.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fagg, Fasbender, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 62.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Fleming, Holmes. Total 3.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, McKittrick, Manuel, Marks, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 65.

Noes: Bardonoue, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Flynn, Greely, H. Harper, R. Harper, Hodges, Holmes, Jacobsen, Jones, Kimble, Lundgren, Lynch, Murphy, Roberts, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt. Total 28.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Lund, Norman. Total 3.

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 do not pass.

HALL, Chairman

Tierney moved, as a substitute motion, that House Bill No. 384 be printed and placed on Second Reading.

Motion failed.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Cotton, Cox, East, Ellerd, Glennen, Greely, Hageman, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Turner, Walborn, Warfield, Mr. Speaker. Total 63.

Noes: Bardanouve, Bennetts, Bradley, Brown, Colberg, Driscoll, Fleming, Flynn, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Murphy, Stephens, Tierney, Towe, Turman, Ulmer, Watt, Yardley. Total 23.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Clemow, Edland, Fagg, Fasbender, Galt, Hager, Jones, Lockrem, Lund. Total 10.

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do pass.

HALL, Chairman

Report adopted.

February 2, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do not pass.

HALL, Chairman

Rolfe moved, as a substitute motion, that House Bill No. 248 be printed and placed on Second Reading. Rolfe requested a roll call vote with the ayes and nays spread on the Journal.

Motion carried by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Brown, Burnett, Castles, Clemow, Colberg, Cox, East, Ellerd, Fagg, Galt, Glennen, Hageman, Hager, Haines, H. Harper, Healy, Holtz, Hubing, Huennekens, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lund, Lundgren, Lynch, Manuel, Marks, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Selstad, Smith, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn. Total 51.

Noes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hall, Halvorson, R. Harper, Hodges, Holmes, Jacobsen, Johnston, Kendall, Kimble, Lee, Lien, McKittrick, Marbut, Mehrens, Menahan, Norman, Regan, Roberts, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Towe, Warfield, Watt, Yardley, Mr. Speaker. Total 43.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Bell, Brand. Total 2.

February 3, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 do not pass.

GUNDERSON, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marks, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Barrett, Campbell, Cox, Galt, Glennen, Greely, Hager, Lundgren, Marbut, Mercer, Olson, Regan, Seifert, Ulmer, Watt. Total 15.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Bardanouve, Brand, Burnett, Jones, Lockrem, Mehrens, Nichols, Schye. Total 8.

February 3, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be amended in section 1, page 3, line 15, after the word "governor;" by inserting the following material: "one shall be the superintendent of public instruction;" and

Be further amended in section 1, page 3, line 17, after the word "and" by striking the word "[four]" and inserting in lieu thereof the word "three", and

Be further amended in section 2, page 14, line 21, after the word and punctuation "thereon," by adding the following new material: "The council is allocated to the office of the superintendent of public instruction for administrative purposes only as prescribed in section 82A-108.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 3, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended in section 1, page 2, line 7, before the words "per day" by striking the following material: "[thirty dollars [(\$30)]", and inserting in lieu thereof the following material: "twenty five (\$25)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.



January 23, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do pass.

WATT, Chairman

Report adopted.

January 25, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do pass.

WATT, Chairman

Report adopted.

February 3, 1973

I have examined House Bill No. 20 introduced by me and find the same to be correct.

AINSWORTH

The Speaker signed in open session House Bill No. 20 and Senate Bill No. 30.

#### MESSAGES FROM THE OTHER HOUSE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolution were read three several times and passed, title and history agreed to and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 50, introduced by Hazelbaker

Senate Bill No. 73, introduced by Drake

Senate Bill No. 98, introduced by McDonald, Lowe, et al

Senate Bill No. 147, introduced by Carl, Keenan, et al

Senate Bill No. 176, introduced by Hall, Gilfeather, et al

Senate Bill No. 190, introduced by Hazelbaker, Harrison & Groff

Senate Bill No. 224, introduced by Keenan & Carl

Senate Bill No. 236, introduced by Hazelbaker

Senate Bill No. 290, introduced by Moore & Klindt

Senate Bill No. 321, introduced by Lowe & McOmber

Senate Bill No. 349, introduced by Harrison & Bennett

Senate Joint Resolution No. 25, introduced by McOmber & McCallum

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 248 be taken from Printing and be rereferred to Committee on Finance and Claims.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Joint Resolution No. 25, introduced by McOmber, McCallum: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting the President and the Congress of these United States to make available additional moneys and manpower for predator control research. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 50, introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 82-2202, 82-2203, 82-2208, 82-2211 and 82-2212, R.C.M. 1947, to transfer the functions of the Secretary of State relating to printing and distribution of the House and Senate Journals and Session Laws to the Legislative Services Division of the Legislative Council; deleting from Section 82-2210, R.C.M. 1947, references to side-noting; repealing Section 82-2204, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 73, introduced by Drake: A bill for an act entitled: "An act removing references to the 1889 Constitution from the codes and amending or deleting other statutory language to make it comply with the 1972 Constitution; amending Sections 11-966, 11-1302, 11-2216, 11-3229, 16-2008, 16-2010, 16-2501, 16-2504, 16-2505, 16-3203, 19-103.1, 23-3012, 32-2601, 32-3802, 32-3804, 36-203, 36-205, 40-4705, 41-1603, 43-508, 46-1903, 59-203, 59-413, 60-125, 66-2604, 72-102, 75-5701, 75-5801, 75-5802, 75-6203, 75-6410, 75-7104, 75-8113, 79-1201, 79-1206, 79-1211, 79-1212, 79-1215, 79-2411, 81-101, 81-905, 81-1001, 81-1102, 81-1712, 82-501, 82-3801, 82-3802, 82-3803, 84-404, 84-701, 84-1901, 84-3804, 84-4713, 84-5214, 91-520, 93-4215 and 93-4216, R.C.M. 1947; and repealing Sections 3-101.1, 4-348, 16-405, 16-2407, 23-2701.1, 41-1609, 75-6410.1, 84-211, and 84-707, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 98, introduced by McDonald, Lowe, Drake, Keenan: A bill for an act entitled: "An act amending Section 16-2041, R.C.M. 1947, to permit the Board of County Commissioners to use excess amounts from the sinking and interest funds for payment of additional expenses on the project for which a bond was sold." Referred to Committee on Local Government.

Senate Bill No. 147, introduced by Carl, Keenan, Devine, Himsel, Drake: A bill for an act entitled: "An act amending Section 26-202.3, R.C.M. 1947, defining resident for purposes of the Fish and Game Act; eliminating the requirement of being a United States citizen; and reducing the time from six (6) months to ninety (90) days that the person be a resident of Montana." Referred to Committee on Fish and Game.

Senate Bill No. 176, introduced by Hall, Gilfeather, Harrison, Sorenson: A bill for an act entitled: "An act amending Sections 75-7604, 75-7605 and 75-7607, R.C.M. 1947, relating to the requirements for textbook dealers to file a copy of all textbooks offered for sale to school districts with the Superintendent of Public Instruction; and to repeal Sections 75-7606 and 75-7611, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 190, introduced by Hazelbaker, Harrison, Groff: A bill for an act entitled: "An act amending Section 40-2726, R.C.M. 1947, by providing fees for filing policy forms and related papers with the insurance commissioner." Referred to Committee on State Administration.

Senate Bill No. 224, introduced by Keenan, Carl: A bill for an act entitled: "An act amending Section 26-1008, R.C.M. 1947, requiring collectors of fish and game for scientific purposes to be representatives of accredited schools, colleges, universities or other institutions; permitting representatives of governmental agencies to collect fish or game for

scientific study; limiting requirement for collectors' permits or licenses to persons studying protected fish or game animals; providing for supervision of collectors' qualifications by director of Fish and Game; allowing group use of permits; and requiring reports." Referred to Committee on Fish and Game.

Senate Bill No. 236, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 82-2210, R.C.M. 1947, to delete reference to side noting and branding of Sessions Laws; repealing Section 82-2204, R.C.M. 1947, and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 290, introduced by Moore, Klindt: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Chiropractors to the State Board of Podiatry Medical Examiners and to change the name of the Board of Medical Doctors to the Montana State Board of Medical Examiners." Referred to Committee on Public Health.

Senate Bill No. 321, introduced by Lowe, McOmber: A bill for an act entitled: "An act providing for the exemption of employees of the Department of Fish and Game from restrictions relating to the herding, driving, capturing, taking, locating or concentrating of fish or game by motor vehicles, airplanes or snowmobiles while such employees are reasonably performing their duties; amending Sections 26-301 and 53-1020, R.C.M. 1947." Referred to Committee on Fish and Game.

Senate Bill No. 349, introduced by Harrison, Bennett: A bill for an act entitled: "An act to amend Section 66-603, R.C.M. 1947, relating to the podiatry examiners to correct an error and inconsistency in the section changing the words two (2) choropodists to three (3) podiatrists to make the section consistent and to provide that chiroprapist and podiatrist are of the same profession." Referred to Committee Public Health, Welfare and Safety.

House Resolution No. 8, introduced by R. Harper, Kimble: A resolution of the House of Representatives of the State of Montana requesting the Department of Institutions to consider establishing a special facility for receiving patients requiring treatment for alcoholism and to report its findings to the Legislative Council prior to the 1974 Session of the Forty-third Legislative Assembly. Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 9, introduced by Haines: A resolution of the House of Representatives of the State of Montana asking the governor and Montana's congressional delegation to do everything in their power to save the historic Old Brewery Theatre as a prominent jewel in the history of theatre in Montana. Referred to State Administration.

House Resolution No. 10, introduced by McKittrick, Greely, Staigmiller: A resolution of the House of Representatives of the State of Montana requesting that the Legislative Council prepare an inventory of all state lands and maps which show the location of state lands, and submit the inventory and maps to the 1974 Session of the Forty-third Legislative Assembly. Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 563, introduced by Nichols, Fasbender: A bill for an act entitled: "An act providing for the removal of wholesale and retail milk price control from the Montana Milk Control Act while retaining flexible price control for producers only; amending Sections 27-401, 27-403, through 27-405, 27-407 through 27-411, 27-413, 27-414, 27-415 through 27-417, 27-420, through 27-422, 27-424, 27-426, 27-428, 27-429, R.C.M. 1947; and repealing Sections 27-414, 27-414.1 and 27-418, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 564, introduced by Marbut, Gunderson, Ulmer, McKittrick, Warfield, Lynch, Quilici, Bradley, Holmes: A bill for an act entitled: "An act to be known as the 'Education of the Handicapped Act of 1973'; providing the Office of the Superintendent of Public Instruction with the administration of the act; providing procedures, services; and an advisory council; and providing the funding of the act." Referred to Committee on Education.

House Bill No. 565, introduced by Haines, Ainsworth: A bill for an act entitled: "An act generally recodifying the election laws; combining certain elections on one (1) day; deleting out-moded posting, proclamation, and notice requirements; consolidating and making uniform filing deadlines; changing voting times; generally certain housekeeping amendments throughout Title 23; amending Sections 23-2605, 23-3002, 23-3003, 23-3015, 23-3016, 23-3023, 23-3204, 23-3302, 23-3305, 23-3307, 23-3321, 23-3505, 23-3611, 23-3703, 23-3704, 23-3705, 23-3706, 23-3818, 23-3903 and 75-5912, R.C.M. 1947; and repealing Sections 23-2902, 23-2903, 23-3303 and 23-3709, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 566, introduced by Bennetts, Tierney, Lynch, McKitt-rick, Lee, Colberg: A bill for an act entitled: "An act appropriating seventy-three thousand seven hundred sixty dollars (\$73,760) to the Department of Labor and Industry from the general fund to implement functions relative to the employment and related needs of women." Referred to Committee on Finance and Claims.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Ageson in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 96 be passed to the bottom of the board.

That House Bill No. 174 do pass. (87-0)

That House Bill No. 198 do pass. (84-1)

That House Bill No. 238 be amended in the title, page 1, line 9 of the second reading bill by striking the following words and punctuation "[and repealing Section 50-813, R.C.M. 1947.]" and inserting in lieu thereof the following words and punctuation "and setting forth the public policy therefore.", and

Further amend page 4, section 2, line 7 of the second reading bill by adding a new section 2 which reads as follows: "Section 2. There is a new section to be numbered 93-9902.1 which reads as follows: 93-9902.1. For the following reasons the state's power of eminent domain may not be exercised to mine and extract coal owned by the plaintiff located beneath the surface of property where the title to the surface is vested in others:

(1) because of the large reserves of and the renewed interest in coal in eastern Montana, coal development is potentially more destructive to land and watercourses and underground aquifers and potentially more extensive geographically than the foreseeable development of other ores, metals, or minerals, and affecting large areas of land and large numbers of people;

(2) that in many areas of Montana set forth in (a) hereinabove, the title to the surface is vested in an owner other than the mineral owner, and that the surface owner is putting that surface to a productive use, and it is the public policy of the state to encourage and foster such productive



use by such owner, and that to permit the mineral owner to condemn the surface owner is to deprive the surface owner of the right to use his property in a productive manner as he determines, and is also contrary to public policy as set forth in paragraph four (4) herein below;

(3) the magnitude of the potential coal development in eastern Montana will subject landowners to undue harassment by excessive use of eminent domain;

(4) that it is the public policy of the state to encourage and foster diversity of land ownership and that the surface mining of coal and control of large areas of land by the surface coal mining industry would not foster public policy and further the public interest."

And, as amended, do pass. (88-4)

That House Bill No. 237 be passed to the bottom of the board.

That House Bill No. 239 do pass. (86-2)

That House Bill No. 275 do pass. (87-0)

That House Bill No. 301 do pass. (83-4)

That House Bill No. 312 do pass. (81-7)

That House Bill No. 329 do pass. (85-0)

That House Bill No. 347 do pass. (79-4)

That House Joint Resolution No. 24 do pass. (84-6)

That House Joint Resolution No. 12 do pass. (74-13)

That Senate Bill No. 75 be concurred in. (71-23)

That Senate Bill No. 148 be concurred in. (84-4)

That Senate Bill No. 170 be concurred in. (88-0)

That House Bill No. 96 be passed for the day.

That House Bill No. 237 be amended in section 1, page 1, line 25 of the second reading bill by striking the abbreviation "etc." and inserting in lieu thereof the words and punctuation ", any mining method or process in which the strata or overburden is removed or displaced in order to remove coal", (89-0)

An, as amended, be passed for the day.

That the Committee rise and report.

AAGESON, Chairman

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 54 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens,

Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Asbjornson, Ellerd, Jones, Kessner, Selstad. Total 5.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Cox, Manuel, Smith. Total 5.

House Bill No. 108 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stoltz, Tierney, Towe, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Castles, Cox, East, Ellerd, Galt, Halvorson, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lundgren, Marks, Mercer, Rolfe, Schye, Seifert, Selstad, Smith, Turman, Walborn, Watt. Total 28.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Ainsworth, Brand, Burnett, Manuel, Stephens, Swanberg. Total 6.

House Bills No. 277 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Driscoll, Marbut. Total 2.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Kvaalen, Manuel. Total 4.

House Bill No. 318 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Johnston. Total 3.

House Bill No. 334 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schye, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: Rolfe. Total 1.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett. Total 2.

House Bill No. 362 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Holtz. Total 3.

House Bill No. 376 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, East, Holtz. Total 4.

House Bill No. 377 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Holtz, Kendall, Kimble, Kvaalen, Turner. Total 7.

House Bill No. 378 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Holtz, Kimble. Total 4.

House Bill No. 379 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Holtz, Turman. Total 4.

House Bill No. 380 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines,



Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Holtz, Marks, Staigmilller, Turman, Walborn. Total 7.

House Bill No. 381 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 88.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Galt, Holtz, Lundgren, Smith, Walborn, Mr. Speaker. Total 8.

House Bill No. 382 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Lockrem, Schye. Total 2.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, H. Harper, Holtz, Smith, Walborn. Total 6.

### THIRD READING OF SENATE BILLS

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kol-

stad, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKitt-rick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Mercer. Total 1.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Haines, Holtz. Total 4.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Cox, Galt, Jones, Kvaalen, Lockrem, Olson, Rolfe, Schye, Seifert, Selstad, Turner, Walborn. Total 12.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Ainsworth, Brand, Burnett, Haines, Holtz. Total 5.

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Campbell, Haines, Holtz. Total 5.

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yard-

ley, Mr. Speaker. Total 76.

Noes: Clemow, East, Ellerd, Galt, Hubing, Jones, Kessner, Lockrem, Lund, Mercer, Nichols, Schye, Selstad, Smith, Walborn. Total 15.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Ainsworth, Brand, Burnett, Haines, Holt. Total 5.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Gunderson, Staigmilller, Tierney. Total 3.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Haines, Holtz. Total 4.

Senate Bill No. 110 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Gunderson, Tierney. Total 2.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Brand, Burnett, Haines, Holtz. Total 4.

Senate Bill No. 161 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Clemow, Galt, Schye, Smith. Total 4.

Excused: Forsgren, Lombardi, Lucas, Zimmer. Total 4.

Absent or not voting: Bennetts, Brand, Burnett, Haines, Holtz, Johnston, Regan. Total 7.

Fasbender moved that the House adjourn until 1:30 p.m., February 5th.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### THIRTY-FIRST LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 5, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members present except Flynn, Kimble, Zimmer, Kolstad, Fasbender, Lombardi, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirtieth Legislative Day, find the same to be correct.

QUILICI, Chairman

Burnett rose on a point of information. The Speaker granted him the privilege of presenting the complaint to the Rules Committee in written form.

### REPORTS OF STANDING COMMITTEES

February 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 7, 8, 12 and 2.

QUILICI, Chairman

February 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 17, 164, 174, 198, 210, 191, 235, 239, 271, 273, 275, 301, 312, 329 and 347, and House Joint Resolutions No. 12 and 24.

QUILICI, Chairman

February 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 26, 93, 145, 157, 196, 209, 250, 253, 281, 321, 370, 397, 403 and 420.

QUILICI, Chairman



February 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 16, 119 and 236.

QUILICI, Chairman

February 1, 1973

I have examined House Bill No. 35 introduced by me and find the same to be correct.

LUCAS

February 5, 1973

I have examined House No. 7 introduced by me and find the same to be correct.

GERKE

February 5, 1973

I have examined House Bill No. 12 introduced by me and find the same to be correct.

SHELDEN

February 5, 1973

I have examined House Bill No. 2 introduced by me and find the same to be correct.

GERKE

February 5, 1973

I have examined House Bill No. 8 introduced by me and find the same to be correct.

GERKE

The Speaker signed in open session House Bills Nos. 35, 7, 12, 2 and 8, and Senate Bills Nos. 33 and 46.

February 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do pass.

McKITTRICK, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 do pass.

McKITTRICK, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do not pass.

McKITTRICK, Chairman

Burnett moved, as a substitute motion, that House Bill No. 302 be printed and placed on Second Reading.

Motion failed.

Thereupon, the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fleming, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, War-field, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Asbjornson, Barrett, Burnett, Campbell, Castles, East, Forsgren, Galt, Hageman, Hager, Holtz, Hubing, Kvaalen, Lockrem, Lucas, Lundgren, Marks, Mercer, Nichols, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn. Total 25.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Bardanouve, Bell, Bennetts, Clemow, Cox, Ellerd, Haines, Lund, Schye. Total 9.

February 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 be amended on page 3, Section 1, Subsection (b), line 2, after the word and punctuation "determined" by deleting the words, numbers and punctuation "[Fifty-five percent (55%)]" and inserting in lieu thereof the following "Fifty percent (50%)", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 459, respectfully report as follows: That House Bill No. 459 do pass.

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 484, respectfully report as follows: That House Bill No. 484 do pass.

GREELY, Vice-Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 485, respectfully report as follows: That House Bill No. 485 do not pass.

GREELY, Vice-Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East,

Edland, Fagg, Fleming, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Barrett, Bell, Burnett, Castles, Forsgren, Galt, Hager, Holtz, Kessner, Lockrem, Mercer, Rolfe, Schye, Selstad, Tierney, Ulmer. Total 16.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Aageson, Brown, Ellerd, Lucas, Lundgren, Stoltz. Total 6.

February 5, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 475, respectfully report as follows: That House Bill No. 475 do not pass.

GREELY, Vice-Chairman

Hager moved, as a substitute motion, that House Bill No. 475 be printed and placed on Second Reading.

Motion failed.

Thereupon, the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Cox, East, Forsgren, Galt, Glennen, Hager, Jones, Lockrem, Lucas, Lundgren, Mercer, Olson, Schye, Seifert, Selstad, Ulmer. Total 16.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Clemow. Total 1.

February 5, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 be amended as follows: Amend in the Title on line 9 by striking the word and figure "[five (5)]" and inserting in lieu thereof the word and figure "six (6)" and,

Further amend on page 1, Section 1, line 20 by striking the word "[five]" and inserting in lieu thereof the word "six" and,

Further amend on page 1, Section 1, line 21, by striking the figure "[5%]" and inserting in lieu thereof the figure "(6%)",

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 5, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 534, respectfully report as follows: That House Bill No. 534 do not pass.

KOSENA, Chairman

Marks moved as a substitute motion, that House Bill No. 534 be printed and placed on Second Reading. Hall requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kosená, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 88.

Noes: Cox, Jacobsen, Lockrem, Selstad, Ulmer, Yardley. Total 6.

Excused: Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 5.

Paired: Fasbender, aye, Yardley, no.

Absent or not voting: Lundgren. Total 1.

February 5, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 476, respectfully report as follows: That House Bill No. 476 do not pass.

KOSENA, Chairman

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosená, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Tierney. Total 1.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Bennetts, Halvorson, Holmes, Hubing, Lundgren, Marks, Norman, Schye. Total 8.

February 5, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had



under consideration House Bill No. 245, respectfully report as follows:  
That House Bill No. 245 do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 247, respectfully report as follows:  
That House Bill No. 247 do not pass.

STAIGMILLER, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Laas, Lee, Lien, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Yardley, Mr. Speaker. Total 71.

Noes: Brown, Edland, Ellerd, Fagg, Fleming, Forsgren, Holtz, Jones, Kvaalen, Lockrem, Lund, Lundgren, Rolfe, Seifert, Turner, Ulmer, Warfield. Total 17.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Bennetts, Hubing, Kosena, Roberts, Selstad, Watt. Total 6.

February 5, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 286, respectfully report as follows:  
That House Bill No. 286 do pass.

STAIGMILLER, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 393, respectfully report as follows:  
That House Bill No. 393 do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 394, respectfully report as follows:  
That House Bill No. 394 do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 278, respectfully report as follows:  
That House Bill No. 278 do not pass.

MEHRENS, Chairman

Towe moved, as a substitute motion, that House Bill No. 278 be printed and placed on Second Reading. Towe requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lundgren, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Ulmer, Walborn, Warfield, Mr. Speaker. Total 38.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: None.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Baucus, Bennetts, Bradley, Brand, Colberg, H. Harper, R. Harper, Holmes, Huennekens, Murphy, Norman, Tierney, Towe, Turman. Total 14.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Brown, Ellerd, Fagg, Fleming, Hall, Laas, Lundgren, Smith, Watt. Total 9.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 be amended on page 1, Section 1, line 12, after the word "purposes" by inserting the following material: "except advertising which encourages conservation of energy and product safety", and As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 20, respectfully report as follows: That House Joint Resolution No. 20 do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 be amended on page 1, Section 1, line 23, after the word "hair" by inserting the words "on male or female", and

Further amend on page 2, Section 1, line 4, after the word "male" by inserting the words "or female", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of the procedure upon deferring bills from one session to the next and whether such bills may be so deferred, respectfully report as follows: That bills may be deferred from one session to another and as to such bills as are to be deferred the appropriate committee shall propose that the bill be deferred and shall make a report of that fact to the house which shall act upon the report.

HALL, Vice-Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 be amended on page 3, Section 5, line 12, after the word "committee", by inserting the words "and the first two sponsors of any bill before the committee".

And, as amended, do pass.

HALL, Vice-Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills have been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 37 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Burnett, Hodges, Kvaalen, Schye, Smith, Walborn. Total 7.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Castles, East, Galt, Hubing, Laas, Lundgren, Marks. Total 7.

House Bill No. 49 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Bell, Brand, Burnett, Castles, Hubing, Lundgren, Olson, Schye, Walborn. Total 9.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: East, Kosena, Marks, Selstad, Smith. Total 5.

House Bill No. 66 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 83.

Noes: Baucus, Bennetts, Gunderson, McKittrick, Marbut, Norman, Tierney, Yardley. Total 8.

Excused: Fasbender, Fleming, Kimble, Kolstad, Lombardi, Zimmer. Total 6.



Absent or not voting: Bardanouve, Forsgren, Stephens. Total 3.

House Bill No. 69 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fleming, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Bell, Burnett, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Hubing, Jones, Kvaalen, Lien, Lockrem, Lundgren, Olson, Rolfe, Schye, Seifert, Smith, Stephens, Ulmer, Walborn. Total 23.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Ainsworth, McKittrick, Nichols, Warfield. Total 4.

House Bill No. 206 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Gunderson. Total 1.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Cox, Schye. Total 2.

House Bill No. 231 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: None.

House Bill No. 256 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Bardanouve, Brand, Burnett, Hubing, Kvaalen, Selstad, Staigmiller. Total 7.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: East. Total 1.

House Bill No. 266 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Holtz, Seifert, Smith, Turner. Total 4.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Ainsworth, East, Manuel, Selstad. Total 4.

House Bill No. 267 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: None.

House Bill No. 269 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lien, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Baeth, Bennetts, Brand, Clemow, Cox, Glennen, Greely, Healy, Lee, Lockrem, Lombardi, Lynch, Mehrens, Mercer, Quilici, Tierney, Walborn. Total 17.

Paired: Yardley, aye; Lombardi, no.

Excused: Fasbender, Flynn, Kimble, Kolstad, Zimmer. Total 5.

Absent or not voting: Holtz. Total 1.

House Bill No. 270 passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Hodges, Mehrens. Total 2.

House Bill No. 282 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Bennetts, Campbell, Norman, Staigmilller, Tierney. Total 5.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Castles, Hager, Lundgren. Total 3.

House Bill No. 339 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Baucus, Bell, Bennetts,



Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kosena, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Rolfe, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Asbjornson, Bardanouve, Brand, Burnett, Driscoll, East, Galt, Jacobsen, Kvaalen, Lee, Lombardi, Lynch, Marks, Mehrens, Menahan, Prevost, Quilici, Schepens, Schye, Selstad, Smith, Staigmillier, Turner, Walborn. Total 24.

Paired: Hall, yes; Lombardi, no.

Excused: Fasbender, Flynn, Kimble, Kolstad, Zimmer. Total 5.

Absent or not voting: Hubing. Total 1.

House Joint Resolution No. 17 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Jacobsen, Johnston, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Bell, Bennetts, Campbell, Colberg, Castles, Hall, H. Harper, R. Harper, Holmes, Hubing, Huennekens, McKittrick, Marks, Murphy, Smith, Stoltz, Swanberg, Tierney, Towe. Total 19.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Ainsworth, East, Kessner, Watt. Total 4.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Nichols moved that Senate Bill No. 17 be removed from Third Reading and rereferred to Committee on Finance and Claims.

Motion failed.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Baeth, Baucus, Castles, Clemow, Cotton, Cox, Edland, Fagg, Forsgren, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Huennekens, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mehrens, Mercer, Norman, Olson, Quilici, Regan, Schepens, Shelden, Staigmillier, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Driscoll, East, Ellerd, Fleming, Galt, Hageman, Hager, H. Harper, Holmes, Holtz, Hubing, Jacobsen, Jones, Kessner, Kvaalen, Lund, Lundgren, Manuel, Marks, Murphy, Nichols, Prevost, Roberts, Rolfe, Schye, Seifert, Selstad, Smith, Stoltz, Turner, Walborn. Total 44.



Paired: Lombardi, aye; Holmes, no.

Excused: Fasbender, Flynn, Kimble, Kolstad, Zimmer. Total 5.

Absent or not voting: Menahan. Total 1.

Senate Bill No. 75 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kvaalen, Laas, Lien, Lockrem, Lund, Lundgren, Manuel, Marks, Mercer, Murphy, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 69.

Noes: Baeth, Baucus, Brand, Ellerd, Gunderson, R. Harper, Healy, Hodges, Kendall, Kosenka, Lee, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mehrens, Menahan, Norman, Quilici, Regan, Roberts, Tierney, Turman, Watt. Total 25.

Paired: Yardley, aye; Lombardi, no.

Excused: Fasbender, Flynn, Kimble, Kolstad, Zimmer. Total 5.

Absent or not voting: Colberg. Total 1.

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kessner, Kosenka, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Burnett, Clemow, Cox, East, Forsgren, Hager, Haines, H. Harper, Hodges, Jones, Kendall, Kvaalen, Lundgren, Marbut, Marks, Selstad, Smith. Total 17.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: None.

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosenka, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer.  
Total 6.

## MESSAGES FROM THE SENATE

February 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 155, introduced by Drake, Bennetts, et al

Senate Bill No. 164, introduced by Vainio, DeVine, et al

Senate Bill No. 187, introduced by Graham

Senate Bill No. 204, introduced by Hazelbaker and Deschamps

Senate Bill No. 377, introduced by Northey, Broeder, et al

Senate Joint Resolution No. 20, introduced by McKeon

Senate Joint Resolution No. 27, introduced by Bollinger, Deschamps,  
et al

Senate Joint Resolution No. 28, introduced by Harrison and Bennett.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 95, introduced by Tierney, Kolstad, et al, was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 11, introduced by R. Harper, Bennetts, Kimble: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council study construction standards for mobile homes and the problems of enforcing these standards and submit a report of its findings and recommendations to the 1974 session of the Forty-Third Legislative Assembly. Referred to Committee on Business and Industry.

House Bill No. 567, introduced by Flynn, Glennen: A bill for an act entitled: "An act to amend Sections 69-1502, 69-1508 and 69-1512, R.C.M. 1947, relating to inspection and operation of steam boilers and steam machinery; to repeal Sections 69-1509, 69-1510, 69-1511, 69-1513, 69-1514, 69-1516 and 69-1517, R.C.M. 1947, relating to the licensing of engineers to operate steam boilers and steam machinery; and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 568, introduced by Huennekens, Johnston: A bill for an act entitled: "An act providing that there shall be access to state lands and that state lands shall be open to the general public for recreational use except in certain cases; and amending Section 81-908, R.C.M. 1947." Referred to Committee on Fish and Game.

Senate Joint Resolution No. 20, introduced by McKeon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging President Richard M. Nixon to review the plight of Montana and to release desperately needed funds which have been appropriated for Montana programs. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 27, introduced by Bollinger, Deschamps, Graham, Hazelbaker, Sorensen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for a special committee to inquire into the requirements necessary to insure a high quality of legislative employees. Referred to Committee on Legislative Administration.

Senate Joint Resolution No. 28, introduced by Harrison, Bennett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging motorists to drive with their headlights on in the daytime to deter head-on collisions. Referred to Committee on Highways and Transportation.

Senate Bill No. 155, introduced by Drake, Bennett, Devine, Keenan, Himsl, Broeder, Northey, McKeon, Bertsche: A bill for an act entitled: "An act amending Section 11-2214, R.C.M. 1947, by providing an additional method of financing of pedestrian malls or offstreet parking improvement districts and for determining the assessment of each parcel within the district." Referred to Committee on Local Government.

Senate Bill No. 164, introduced by Vainio, Devine, Lynch, McCallum, Hall, McKeon, Deschamps: A bill for an act entitled: "An act providing a free college education at Montana College of Mineral Science and Technology for children of any mining disaster victims." Referred to Committee on Education.

Senate Bill No. 187, introduced by Graham (by request): A bill for an act entitled: "An act to amend Sections 27-216, 27-221, 27-225 and 27-227, R.C.M. 1947, by including seed with those items to which pesticides are applied; to make the act applicable to public utility applicators; to set dealer's or retailer's license fee at five dollars (\$5) when applied for by an applicator; to require separate dealer's license for each outlet from which pesticides are obtained; to provide that licensed veterinarians and pharmacists need not be required to purchase license to sell pesticides; to set license fee of five dollars (\$5) for retailers selling only human insect repellent; and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 204, introduced by Hazelbaker, Deschamps: A bill for an act entitled: "An act to amend Section 76-107, R.C.M. 1947, to provide for supervisors in water conservation districts which include incorporated municipalities within its boundaries." Referred to Committee on Local Government.

Senate Bill No. 377, introduced by Northey, Broeder, McGowan, Graham, Sorensen, Moritz: A bill for an act entitled: "An act amending Section 8-116, R.C.M. 1947, providing that every motor carrier shall, at the time of issuance of a certificate, and annually thereafter on or between the first day of January and the fifteenth day of January of each calendar year, pay to the board the sum of five dollars (\$5) for every motor vehicle operated by the carrier over or upon the public highways of this state; and providing an effective date." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolves itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Baeth in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 96 be amended in the title of the introduced bill, after the word "perishable" by striking "[agricultural products]" and inserting in lieu thereof the words "fruits and vegetables", (79-1)

And further amend on page 4, Section 1, Subsection (c), line 16, in the introduced bill, by deleting "[agricultural products]", and insert in lieu thereof the words "fruits and vegetables", (75-1)

And further amend in Section 2, Subsection (c), line 12 of the Second Reading Bill by deleting "[agricultural products]", and insert in lieu thereof the words "fruits and vegetables". (74-3)

And, as amended, do pass (56-26).

(Material in brackets denotes cancelled type.)

That House Bill No. 152 do pass (57-23).

That House Bill No. 171 be amended on page 1, in the title, line 9, in the Second Reading Bill and the Introduced Bill, after the word "contracts" by adding ", and provide an effective date", and (72-3)

Further amend on page 3, line 3, after the word "amount.", by adding a new sentence, "This act is effective on its passage and approval." (77-3).

And, as amended, do pass (81-5).

That House Bill No. 230 do pass (78-0).

That House Bill No. 237 be passed to the bottom of the board.

That House Bill No. 272 do pass (66-16).

That House Bill No. 308 do pass (80-0).

That House Bill No. 314 do pass (80-1).

That House Bill No. 328 do pass (77-3).

That House Bill No. 332 do pass (83-0).

That House Bill No. 346 do pass (79-3).

That House Bill No. 352 do pass (78-0).

That House Bill No. 367 be amended on page 1, Section 2, line 25 of the Second Reading Bill and the Introduced Bill by striking the word "[participate]" and inserting in lieu thereof the following words and punctuation, "promote, sell, or encourage participation", (82-0)

And, as amended, do pass (79-4).

That House Bill No. 392 do pass (89-0).

That House Bill No. 416 do pass (85-2).



That House Bill No. 422 do pass (83-0).

That House Joint Resolution No. 32 do pass (86-2).

That House Bill No. 237 be amended in Section 1, page 1, line 25 of the Second Reading Bill by striking the abbreviation "etc." and inserting in lieu thereof the words and punctuation " , any mining method or process in which the strata or overburden is removed or displaced in order to remove coal", (85-0)

And, as amended, do pass by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Cox, Driscoll, Fagg, Fleming, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Towe, Turman, Walborn, Watt. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Gerke, Haines, Hall, Holtz, Hubing, Jones, Kessner, Kvaalen, Laas, Lockrem, Lucas, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Tierney, Turner, Ulmer, Warfield. Total 39.

Excused: Fasbender, Flynn, Kimble, Kolstad, Lombardi, Zimmer. Total 6.

Absent or not voting: Edland, Lundgren, Stoltz, Yardley. Total 4.

The Senate Amendments to House Bill No. 31 be concurred in (83-6).

That the Committee rise and report.

BAETH, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Mehrens moved that Senate Bill No. 174 be taken from Committee on Business and Industry and be rereferred to Committee on State Administration.

Motion carried.

Towe moved that House Bill No. 531 be taken from the Committee on Business and Industry and be rereferred to Committee on Taxation.

Motion carried.

### REPORTS OF STANDING COMMITTEES

February 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 14, 32, 33 and 72, and House Joint Resolution No. 3.

QUILICI, Chairman

February 5, 1973

I have examined House Bill No. 72 introduced by me and find the same to be correct.

HOLTZ

February 5, 1973

I have examined House Joint Resolution No. 3 introduced by me and

find the same to be correct.

BARDANOUE

February 5, 1973

I have examined House Bill No. 14 introduced by me and find the same to be correct.

SHELDEN

February 5, 1973

I have examined House Bill No. 33 introduced by me and find the same to be correct.

LUCAS

February 5, 1973

I have examined House Bill No. 32 introduced by me and find the same to be correct.

LUCAS

The Speaker signed in open session House Bills No. 72, 14, 33, 32 and House Joint Resolution No. 3.

Hall moved that the House adjourn until 1:30 p.m., February 6, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### THIRTY-SECOND LEGISLATURE DAY

House of Representatives  
Helena, Montana  
February 6, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Quilici, Lombardi, Flynn, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 31st Legislative Day, find the same to be correct.

QUILICI, Chairman

February 5, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 2, 7, 8, 12, 20 and 35, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the

following bill correctly enrolled: House Bill No. 4.

QUILICI, Chairman

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 125, 128, 148, 155, 197, 204, 244, 245, 252, 268, 286, 304, 307, 315, 350, 366, 372, 385, 393, 394, and 431.

QUILICI, Chairman

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Joint Resolutions Nos. 16 and 21, and House Bills Nos. 152, 230 and 283.

QUILICI, Chairman

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 5, 18, 44, 147 and 238.

QUILICI, Chairman

February 6, 1973

I have examined House Bill No. 4 introduced by me and find the same to be correct.

The Speaker signed in open session House Bill No. 4 and Senate Bills Nos. 21, 35, 36, 64, 68, 91 and Senate Joint Resolution No. 5.

February 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 23, respectfully report as follows: That House Joint Resolution No. 23 be held over until the second half of the 43rd Legislative Session in January, 1974.

BRAND, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 be amended in the title on page 1, line 9, after the word "dollar" by striking the following material: "[and fifty cents (\$1.50)]" and inserting in lieu thereof the figure: "(\$1), and

Be further amended on page 1, section 1, line 18, after the word "dollar" by striking the following material "[and fifty cents (\$1.50)]" and inserting in lieu thereof the figure "(\$1)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 do not pass.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lynch, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Zimmer, Mr. Speaker. Total 82.

Noes: Brown, Driscoll, Rolfe. Total 3.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bardanouve, Ellerd, Hall, R. Harper, Lockrem, Lund, Lundgren, McKittrick, Menahan, Norman, Warfield, Yardley. Total 12.

February 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do not pass.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lucas, Lynch, Manuel, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Aageson, Colberg, Greely, H. Harper, Hodges, Holmes, Huennekens, Laas, Lockrem, Marbut, Towe. Total 11.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bardanouve, Bradley, Brown, Lund, Lundgren, McKittrick, Mehrens, Menahan. Total 8.

February 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 9, respectfully report as follows: That House Resolution No. 9 be adopted.

BRAND, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Fagg, moved as a substitute motion, that House Bill No. 320 be rereferred to Committee on Public Health, Welfare and Safety.



Motion carried.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Cotton, Cox, Driscoll, East, Edland, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lynch, McKitt-trick, Manuel, Marbut, Marks, Mehrens, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Bell, Castles, Fagg, Hager, Mercer. Total 5.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Burnett, Clemow, Colberg, Ellerd, Fasbender, Jones, Lund, Lundgren, Menahan, Watt. Total 10.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fleming, Fagg, Fasbender, Forsgren, Galt, Glennen, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lynch, McKit-trick, Manuel, Marbut, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Yardley, Zimmer. Total 80.

Noes: Barrett, Brown, Hager, Tierney, Turner, Ulmer. Total 6.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bardanouve, Ellerd, Greely, Gunderson, Holmes, Lund, Lundgren, Marks, Menahan, Watt, Mr. Speaker. Total 11.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do pass.

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 be amended on page 2, Section 5, line 4, after the word "to" by deleting the word "[that]" and inserting in lieu thereof the new material "ninety percent (90%) of the salary".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 477, respectfully report as follows: That House Bill No. 477 be amended on page 3, section 2, line 14 after the word "attorneys" by deleting the punctuation mark "[,]" and inserting in lieu thereof the new material "except in first or second class counties,"

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be concurred in.

HALL, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 be amended in Section 6, page 8, line 24, after the word "who", by inserting the word "knowingly".

And, as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Resolution No. 6, respectfully report as follows: That House Resolution No. 6 do pass.

SHELDEN, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 328, 352, and 308.

FLEMING, Vice-Chairman

February 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Joint Resolution No. 20 and House Bills Nos. 251, 278, 402, 484, 459 and 534.

FLEMING, Vice-Chairman

#### MESSAGES FROM THE GOVERNOR

February 5, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana  
Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 3, 40, and 41.

Sincerely,  
THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

February 6, 1973

Honorable Bill Christiansen  
President of the Senate  
State Capitol  
Helena, Montana  
Honorable Harold Gerke  
Speaker of the House  
of Representatives  
State Capitol  
Helena, Montana

Gentlemen:

In accordance with Section 94-9849, Revised Codes of Montana, 1947, I am transmitting the enclosed list of acts of executive clemency, covering the period from January 1, 1971 to January 1, 1973.

Sincerely,  
THOMAS L. JUDGE  
Governor

## EXECUTIVE ACTS OF CLEMENCY, COVERING THE PERIOD

January 1, 1971 to January 1, 1973

Case No. 3010—Daniel Eugene Barrett, who on the 12th day of April, 1971 was sentenced to two years in prison and said sentence was suspended; and on November 6, 1972, said sentence was commuted to one year and seven months, for the crime of burglary, was granted a full pardon with restoration of all civil rights on the 11th day of December, 1972.

Case No. 3009—Thomas Burchard, who on the 26th day of November, 1969, was sentenced to three years for the crime of receiving stolen property, was granted a full pardon and restoration of all civil rights on the 11th day of December, 1972.

Case No. 3008—Thomas W. Burchard, who on the 28th day of December, 1966, was sentenced to one year in prison for the crime of uttering and delivering a fraudulent check, was granted a full pardon with restoration of all civil rights on the 11th day of December, 1972.

Case No. 3007—Walter Frank Sanders, who on the 7th day of September, 1960, was sentenced to ten years for the crime of burglary in the first degree, was granted a full pardon with restoration of all civil rights on the 11th day of December, 1972.

Case No. 3006—Daniel Eugene Barrett, who on the 12th day of April, 1971, was sentenced to two years and said sentence suspended for the crime of burglary, was granted a commutation of sentence to one year and seven months, on the 6th day of November, 1972.

Case No. 3005—Warren Frederick Fisher, who on the 15th day of September, 1969, was sentenced to five years with the last two years suspended for the crime of involuntary manslaughter, was granted a commutation of sentence to time served as of November 1, 1972, on the 6th day of November, 1972.

Case No. 3004—Joseph Edgar Johnson, who on the 10th day of January, 1966, was sentenced to four years for the crime of uttering and delivering a fraudulent check, was granted a full pardon with restoration of civil rights on the 30th day of October, 1972.

Case No. 3003—Joe E. Johnson, who on the 17th day of March, 1959, was sentenced to one year for the crime of uttering and delivering a fraudulent check, was granted a full pardon and restoration of civil rights on the 30th day of October, 1972.

Case No. 3002—Wesley W. Jennison, who on the 15th day of May, 1963, was sentenced to three years for the crime of burglary in the first degree, was granted a full pardon with restoration of civil rights on the 30th day of October, 1972.

Case No. 3001—Wesley Warren Jennison, who on the 7th day of June, 1962, was sentenced to one year for the crime of burglary in the second degree, was granted a full pardon with restoration of civil rights on the 30th day of October, 1972.

Case No. 3000—Wesley Warren Jennison, who on the 5th day of July, 1960, was sentenced to two years for the crime of burglary in the first degree, was granted a full pardon with restoration of civil rights on the 30th day of October, 1972.

Case No. 2999—Jerry Glen Gibson, who on the 9th day of January, 1964, was sentenced to four years for the crime of burglary in the first degree, was granted a full pardon and restoration of civil rights on the 31st day of October, 1972.



Case No. 2998—Dallas William McColley, who on the 9th day of December, 1968, was sentenced to three years for the crime of attempted burglary with all but thirty days suspended, was granted a full pardon with restoration of civil rights on the 10th day of October, 1972.

Case No. 2997—Patrick C. Barry, who on the 8th day of July, 1968, was sentenced to one year for the crime of uttering and delivering a fraudulent check was granted a full pardon with restoration of civil rights on the 28th day of September, 1972.

Case No. 2996—Patrick C. Barry, who on the 17th day of April, 1964, was sentenced to five years with all but one year suspended for the crime of burglary in the first degree, was granted a full pardon with restoration of all civil rights on the 28th day of September, 1972.

Case No. 2995—Bruce Warren Barrett, who on the 12th day of April, 1971, was sentenced to one year for the crime of burglary with the said sentence suspended, was granted a full pardon with restoration of all civil rights on the 28th day of September, 1972.

Case No. 2994—Douglas Lynn Milliron, who on the 13th day of April, 1964, was sentenced to two years for the crime of grand larceny, was granted a full pardon with restoration of all civil rights on the 28th day of September, 1972.

Case No. 2993—Douglas Lynn Milliron, who on the 26th day of February, 1964, was sentenced to five years in Montana State Prison for the crime of forgery, and said sentence was suspended, was granted a pardon with restoration of civil rights on the 28th day of September, 1972.

Case No. 2992—Gerald Walsh, who on the 28th day of November, 1936, was sentenced to one year for the crime of grand larceny, was granted a full pardon with restoration of civil rights on the 17th day of August, 1972.

Case No. 2991—Larry Fleury, who on the 23rd day of April, 1963, was sentenced to twenty (20) years for the crime of assault in the first degree, was granted a commutation of sentence from twenty years to nine years and four months on the 7th day of August, 1972.

Case No. 2990—Richard Sullivan, who on the 16th day of November, 1966, was sentenced to five years on each count, to run concurrently, with the last three years suspended for burglary in the first degree, 2 counts, and injuring a jail, was granted a full pardon with restoration of civil rights on the 7th day of August, 1972.

Case No. 2989—James J. Oestreich, who on the 21st day of October, 1968, was sentenced to six years on each of 24 counts, said terms to run concurrently, for the crime of grand larceny and forgery, 23 counts grand larceny and forgery, one count, was granted a full pardon with restoration of civil rights on the 7th day of August, 1972.

Case No. 2988—James J. Oestreich, who on the 21st day of October, 1968, was sentenced to six years on each of the 24 counts, said terms to run concurrently, for the crime of grand larceny and forgery, 1 count, and said sentence to be suspended, was granted a commutation from six years to three years and six months on the 19th day of June, 1972.

Case No. 2987—Robert Lee Rollins, who on the 16th day of January, 1964, was sentenced to life in prison for the crime of murder in the first degree, was granted a commutation of sentence to 40 years on June 15, 1972.

Case No. 2986—Joseph R. Yellow Robe, who on the 21st day of September, 1961, was sentenced to ten years for the crime of manslaughter,

was granted a full pardon and restoration of all civil rights on the 9th day of June, 1972.

Case No. 2985—Joe Yellow Robe, who on the 27th day of January, 1958, was sentenced to two years for the crime of burglary in the first degree, was granted a full pardon and restoration of all civil rights on the 9th day of June, 1972.

Case of No. 2984—Earl Eastman, who on the 25th day of May, 1966, was sentenced to three years for attempted robbery, was granted a full pardon and restoration of all civil rights on the 13th day of June, 1972.

Case No. 2983—Earl Eastman, who on the 4th day of May, 1964, was sentenced to eighteen months for the crime of burglary, was granted a full pardon and restoration of all civil rights on the 13th day of June, 1972.

Case No. 2982—Charles Weasel Head, who on the 6th day of January, 1956, was sentenced to two years in the county jail with all but 60 days suspended for the crime of concealing a felon from a magistrate, was granted a full pardon and restoration of all civil rights on the 9th day of June, 1972.

Case No. 2981—Russell Hitson, who on the 20th day of November, 1959, was sentenced to one year for the crime of assault in the second degree, was granted a full pardon and restoration of civil rights on the 13th day of June, 1972.

Case No. 2980—Thomas Edward Maynard, who on the 21st day of April, 1960, was sentenced to five years for the crime of forgery, was granted a full pardon with restoration of civil rights on the 13th day of June, 1972.

Case No. 2979—Walter Clay Faulkner, who on the 12th day of May, 1970, was sentenced to two years for the crime of burglary in the first degree, was granted a full pardon with restoration of all civil rights on the 13th day of June, 1972.

Case No. 2978—Raymond Yellow Robe, who on the 24th day of May, 1961, was sentenced to imprisonment for his natural life, was granted a commutation of sentence from natural life to 63 years on May 16, 1972, for the crime of murder.

Case No. 2977—Theodore Fay Anno, who on the 22nd day of March, 1966, was sentenced to four years and said sentence suspended for the crime of grand larceny, was granted a full pardon with restoration of civil rights on the 16th day of May, 1972.

Case No. 2976—Michael Bowman, who on the 31st day of October, 1968, was sentenced to three years, with all but the first 30 days suspended, for the crime of assault in the second degree, was granted a full pardon with restoration of all civil rights on the 12th day of May, 1972.

Case No. 2975—Richard Otto Leistiko, who on the 24th day of August, 1967, was sentenced to three years for the crime of grand larceny, was granted a full pardon with restoration of all civil rights on May 16, 1972.

Case No. 2974—Arnold Schmidt, who on the 19th day of November, 1964, was sentenced to six years for the crime of assault in the second degree, was granted a full pardon with restoration of all civil rights on the 16th day of May, 1972.

Case No. 2973 and 2972—Walter Mack Myers, who on the 26th day of April, 1947, was sentenced to one year for the crime of grand larceny, was granted a full pardon with restoration of civil rights on the 11th day of May, 1972.

Case No. 2971—H. D. Vassau, who on the 13th day of October, 1966, was sentenced to five years, said sentence suspended, and fined \$2,000 for the crime of assault in the second degree, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2970—Keith L. Moran, who on the 7th day of May, 1962, was sentenced to eight years for the crime of first degree burglary, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2969—Monty R. McIlhargey, who on the 11th day of August, 1967, was sentenced to three years for the crime of uttering and delivering a fraudulent check, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2968—Montieray McIlhargey, who on the 19th day of November, 1951, was sentenced to 25 years for the crime of robbery, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2967—Robert Losness, Jr., who on the 19th day of September, 1962, was sentenced to five years for the crime of fraudulent checks, five counts, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2966—Dallas Howard, who on the 16th day of March, 1965, was sentenced to five years for the crime of first degree burglary, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2965—Leon Cochran, who on the 10th day of January, 1963, was sentenced to three years in prison for receiving stolen property, was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2964—Art R. Campbell, who on the 9th day of March, 1965, was sentenced to three years on each of five counts, to be served concurrently, of first degree burglary was granted a full pardon with restoration of civil rights on the 5th day of April, 1972.

Case No. 2963—Roland Melvin Bliss, who on the 27th day of January, 1970, was sentenced to fifteen years for armed robbery, was granted a commutation of sentence from fifteen (15) years to five (5) years on the 15th day of February, 1972.

Case No. 2962—Dennis Schelzer White, who on the 28th day of October, 1963, was sentenced to life for the crime of murder in the first degree, was granted a commutation of sentence from life imprisonment to forty (40) years, on February 15, 1972.

Case No. 2961—Milton Madsen, who on the 14th day of December, 1962, was sentenced to five years in Montana State Prison for destroying and injuring a jail, was granted a full pardon and restoration of civil rights on the 15th day of February, 1972.

Case No. 2960—Milton Madsen, who on the 13th day of November, 1958, was sentenced to one year for escape from Montana State Prison, was granted a full pardon with restoration of civil rights on the 15th day of February, 1972.

Case No. 2959—Milton Madsen, who on the 29th day of January, 1958, was sentenced to five years in the Montana State Prison for robbery, was granted a full pardon and restoration of all civil rights on the 13th day of March, 1972.

Case No. 2958—David Kuykendall, who on the 20th day of April, 1962,



was sentenced to ten years for the crime of forgery (2) counts, with prior conviction of a felony, was granted a full pardon with restoration of all civil rights, on the 15th day of February, 1972.

Case No. 2957—La Queta Ann Thompson, who on the 30th day of September, 1968, was sentenced to two years for the crime of embezzlement, four counts, and said sentence suspended, was granted restoration of all civil rights, on the 7th day of January, 1972.

Case No. 2956—Ronald Moccasin, who on the 13th day of December, 1960, was sentenced to five years for the crime of involuntary manslaughter, was granted a full pardon and restoration of all civil rights on the 7th day of January, 1972.

Case No. 2955—Charles L. Greenfield, who on the 13th day of February, 1963, was sentenced to two years each on three counts of uttering and delivering a fraudulent check, terms to be served concurrently and suspended, was granted a full pardon with restoration of all civil rights on the 7th day of January, 1972.

Case No. 2954—Marvin L. Stanley, who on the 23rd day of September, 1957, was sentenced to eight years for the crime of manslaughter, was granted a full pardon with restoration of civil rights on December 21, 1971.

Case No. 2953—Wallace F. Thrall, who on the 26th day of June, 1942, was sentenced to five years for the crime of assault in the first degree, was granted a full pardon with restoration of civil rights on the 8th day of December, 1971.

Case No. 2952—Paul McDonald, who on the 8th day of March, 1965, was sentenced to three years (and commuted to two and one-half years on September 1, 1965) for the crime of burglary, was granted a full pardon with restoration of civil rights on the 8th day of December, 1971.

Case No. 2951—Earle LaFramboise, who on the 13th day of January, 1961, was sentenced to life for the crime of murder in the first degree, was granted a commutation of sentence from life imprisonment to 60 years on the first day of November, 1971.

Case No. 2950—Minnie Sumerall, who on the 8th day of September, 1964, was sentenced to two years and said sentence suspended for the crime of being an accessory to the commission of a felony, was granted a full pardon with restoration of civil rights on the 17th day of September, 1971.

Case No. 2949—James F. Wood, who on the 16th day of May, 1968, was sentenced to two years for the crime of uttering and delivering a fraudulent check, was granted a full pardon with restoration of civil rights on the 17th day of September, 1971.

Case No. 2948—Roy L. Peters, who on the 7th day of July, 1964, was sentenced to five years with all suspended but one year, for receiving stolen property, was granted a full pardon with restoration of civil rights on the 17th day of September, 1971.

Case No. 2947—Jesse W. DeWeese, who on the 24th day of June, 1957, was sentenced to life for the crime of murder in the first degree, was granted a commutation of sentence from life to sixty-eight years, on the 4th day of October, 1971.

Case No. 2946—William P. Barry, who on the 20th day of January, 1969, was sentenced to twenty-five years for a crime against nature, was granted a commutation of sentence from twenty-five years to eight years, on the 4th day of October, 1971.

Case No. 2945—Ray George Crosby, who on the 21st day of October,



1965, was sentenced to two years for the crime of bigamy, 2 counts, was granted a full pardon with restoration of civil rights on the 30th day of July, 1971.

Case No. 2944—David J. Ross, who on the 11th day of April, 1952, was sentenced to one year for the crime of burglary in the first degree was granted a full pardon with restoration of all civil rights on the 8th day of July, 1971.

Case No. 2943—George Godfrey Arnold, who on the 7th day of December, 1964, was sentenced to three years for the crime of assault in the second degree, was granted a full pardon and restoration of all civil rights on the 8th day of July, 1971.

Case No. 2942—James Conley, who on the 14th day of February, 1958, was sentenced to three years for assisting prisoners to escape, was granted a full pardon and restoration of all civil rights on the 8th day of July, 1971.

Case No. 2941—Herman Red Elk, who on the 15th day of November, 1954, was sentenced to twenty-six months for the crime of forgery, was granted a full pardon with restoration of civil rights on the 27th day of May, 1971.

Case No. 2940—Robert Dale Eskildsen, who on the 3rd day of March, 1966, was sentenced to two years for burglary in the second degree, was granted a full pardon with restoration of civil rights on May 27, 1971.

Case No. 2939—Robert Gordon Hughes, who on the 10th day of January, 1962, was sentenced to two and one-half years suspended sentence for burglary in the first degree, was granted a full pardon with restoration of civil rights on the 27th day of May, 1971.

Case No. 2938—Hugh Linn, who on the first day of February, 1954, was sentenced to five years for burglary in the second degree, was granted a full pardon with restoration of civil rights on May 27, 1971.

Case No. 2937—Carl Joseph Moody, who on the 11th day of January, 1963, was sentenced to six years for the crime of a lewd and lascivious act upon a child, was granted a full pardon with restoration of civil rights on May 13, 1971.

Case No. 2936—Herbert Harrington, who on the 25th day of March, 1936, was sentenced to ten years for robbery, was granted a full pardon with restoration of civil rights on May 13, 1971.

Case No. 2935—Harold Eugene Schutt, who on the first day of June, 1966, was sentenced to five years, with all but thirty days suspended for robbery, was granted a full pardon with restoration of civil rights on May 13, 1971.

Case No. 2934—Mrs. Eugene Mesler, who on the third day of November, 1955, was sentenced to eighteen months for the crime of burglary in the first degree, was granted a full pardon with restoration of civil rights on May 13, 1971.

Case No. 2933—Pius A. Kuhl, who on the 11th day of December, 1959, was sentenced to five years in Montana State Prison, with all suspended, for the crime of making and passing a fictitious check, was granted a full pardon with restoration of all civil rights on May 13, 1971.

#### MESSAGES FROM THE OTHER HOUSE

February 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills and Senate Joint Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 43, introduced by James  
Senate Bill No. 59, introduced by Keenan  
Senate Bill No. 157, introduced by Drake, Lowe, et al  
Senate Bill No. 171, introduced by Zody, Thiessen, et al  
Senate Bill No. 186, introduced by McKeon  
Senate Bill No. 235, introduced by Groff  
Senate Bill No. 241, introduced by McKeon  
Senate Bill No. 260, introduced by Committee on Education  
Senate Bill No. 310, introduced by Harrison  
Senate Bill No. 323, introduced by Bollinger and Goodheart  
Senate Bill No. 325, introduced by Bollinger and Goodheart  
Senate Bill No. 336, introduced by Graham and Hazelbaker  
Senate Bill No. 348, introduced by Bollinger and Zody  
Senate Bill No. 380, introduced by Lynch  
Senate Bill No. 385, introduced by Lynch  
Senate Bill No. 390, introduced by Bollinger and Graham  
Senate Joint Resolution No. 6, introduced by Klindt, et al  
Senate Joint Resolution No. 12, introduced by Himsl, Bertsche, et al

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 91, introduced by Bardanouve and Cotton  
House Bill No. 106, introduced by Stephens, Gunderson, et al

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Lynch moved that House Bill No. 507 be moved from Committee on Judiciary to Committee on Business and Industry.

As a substitute motion, Hall moved that the Speaker appoint a Select Committee of seven members to consider all gambling bills in the House at this time.

Motion carried.

Hall moved that all bills pertaining to gambling be taken from Committee on Judiciary and be rereferred to the special Committee on Gambling.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Bill No. 569, introduced by Brand: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam War between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities in Southeast Asia; to authorize the State of Montana to become indebted in the sum of twelve million dollars (\$12,000,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of the law; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; to provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; to levy and provide for the collection of an excise tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M. 1947; to create and provide for the administration of a Vietnam Veterans' Compensation Fund and bond fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the law; to pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; to make the bonds a legal investment for funds of the State of Montana to provide penalties for violation of provisions of the law; to amend Sections 84-5606 and 84-5606.30, R.C.M. 1947; and to make other provisions germane to the main purpose of the law". Referred to Committee on Taxation.

Senate Joint Resolution No. 6, introduced by Klindt, Deschamps, Thiesen, Breeden, Goodheart, Abler, McDonald, Flynn, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directed to all administrators of universities, colleges and boards of education pertaining to the value of intercollegiate and interscholastic athletic competition to the overall educational program. Referred to Committee on Education.

Senate Joint Resolution No. 12, introduced by Himsl, Bertsche, Hazelbaker, Rosell: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to maintain a continuing study committee to oversee the efforts of the six units of the university system in avoiding unnecessary duplication. Referred to Committee on Education.

Senate Bill No. 43, introduced by Carl: A bill for an act entitled: "An act to amend Section 75-6808, R.C.M. 1947, to allow all classes of school districts to contract without letting bids for less than four thousand dollars (\$4,000)." Referred to Committee on Education.

Senate Bill No. 59, introduced by Keenan: A bill for an act entitled: "An act to amend Section 71-235, R.C.M. 1947, by increasing the relatives contribution scale to present income and consumer price levels." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 157, introduced by Drake, Lowe, Himsel, Broeder, Klindt, Northey, McKeon, Bertsche: A bill for an act entitled: "An act amending Section 11-203, R.C.M. 1947, to provide that no new city or town can be incorporated unless it is more than three (3) miles from any existing incorporated city or town; and providing for an effective date." Referred to Committee on Local Government.

Senate Bill No. 171, introduced by Zody, Thiessen, Moore, Carl: A bill for an act entitled: "An act to amend Sections 75-7214 and 75-8211, R.C.M. 1947, to allow the trustees of a school district to expend funds collected for rental or lease of school buildings." Referred to Committee on Education.

Senate Bill No. 186, introduced by McKeon: A bill for an act entitled: "An act to repeal Section 66-1928, R.C.M. 1947, by eliminating the requirement that moneys credited to the Board of Real Estate not used by December 31 revert to the general fund." Referred to Committee on State Administration.

Senate Bill No. 235, introduced by Groff: A bill for an act entitled: "An act relating to the redemption of county, city, town and school districts bond issues before maturity; and amending Sections 11-2304, 16-2011 and 75-7107, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 241, introduced by McKeon: A bill for an act entitled: "An act to delete the requirement that a person afflicted by epileptic type seizures must not have experienced such a seizure within two (2) years prior to receiving a motor vehicle operator or chauffeur's license; and amending Section 31-127, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 260, introduced by Committee on Education: A bill for an act entitled: "An act amending Section 75-6608, R.C.M. 1947, relating to the procedures for application, approval, and criteria for the isolation of an elementary or high school." Referred to Committee on Education.

Senate Bill No. 310, introduced by Harrison: A bill for an act entitled: "An act deleting the mandatory public hearing from the requirements to receive a weather modification permit and make the holding of such public hearing permissive; authorizing the Department of Natural Resources and Conservation to assess the applicant for the costs incurred by the department in holding the hearing; and amending Section 89-318, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 323, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 23-3202, R.C.M. 1947, providing that election judges must be members of the political party they represent." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 325, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 23-3405, R.C.M. 1947, by providing for the elimination of the requirement for proxies in county conventions of political parties." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 336, introduced by Graham, Hazelbaker: A bill for an act entitled: "An act amending Section 82-1149, R.C.M. 1947, relating to the establishment of prices for state newspaper publications; providing that such prices shall not exceed the minimum going rate charged any other advertiser for publication or advertisement set in the same sized type and published for the same number of insertions." Referred to Committee on State Administration.

Senate Bill No. 348, introduced by Bollinger, Zody: A bill for an act



entitled: "An act amending Sections 23-3704 and 23-3707, R.C.M. 1947, by providing in both sections that deputy registrars shall be considered officers authorized to administer oaths." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 380, introduced by Lynch: A bill for an act entitled: "An act amending Section 8-111, R.C.M. 1947, providing that the submission of a Class C Motor Carrier Application must be accompanied by the names and addresses of any person, firm, corporation or other legal entity with whom the applicant has executed a contract for the distribution, delivery or collection of wares, merchandise or commodities, or the transportation of person; that contracts must be in writing, executed by the parties, and submitted to this commission for examination; that the contracting parties must appear and offer testimony in support of the applicant; and providing an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 385, introduced by Lynch: A bill for an act entitled: "An act amending Section 72-118, R.C.M. 1947, providing that upon the filing by any railroad of a change or revision of any rate, fare, charge or classification by filing tariff sheet or sheets, every railroad must submit prepared testimony and exhibits to support such changes or revisions; providing that the complaint of any interested party may be filed with the board within thirty (30) days after the date of filing of such changes or revisions; providing further that the board may suspend the operation of such rate, fare, charge or classification for a period not to exceed one hundred eighty (180) days and within sixty (60) days the board must investigate such; and providing for an effective date." Referred to Committee on Highways and Transportation.

Senate Bill No. 390, introduced by Bollinger, Graham: A bill for an act entitled: "An act amending Section 23-3001, R.C.M. 1947, relating to the highway patrol submitting new-voter lists; and by providing that the lists be prepared in quadruplicate." Referred to Committee on Constitution, Elections and Federal Relations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of Whole, for the consideration of business on Second Reading.

Motion carried.

Rolfe in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 26 be amended in Section 3, page 3, line 16 of the second reading bill, by striking the word "[twenty-five]" and inserting in lieu thereof the following word "fifteen" and,

Further amend section 3, page 3, line 17 of the second reading bill by striking the figure and punctuation "[ (25) ]" and inserting in lieu thereof the following figure and punctuation "(15%)" (81-0).

And as amended, do pass. (90-0)

(Material in brackets denotes cancelled type.)

That House Bill No. 93 do pass. (75-12)

That House Bill No. 145 do pass. (60-21)

That House Bill No. 157 do pass. (49-48)

That House Bill No. 196 do pass. (68-12)  
That House Bill No. 209 do pass. (78-0)  
That House Bill No. 250 be passed for the day.  
That House Bill No. 253 do pass. (57-33)  
That House Bill No. 281 do not pass. (56-35)  
That House Bill No. 321 do pass. (87-2)  
That House Bill No. 337 be passed for the day.  
That House Bill No. 370 do pass. (72-2)  
That House Bill No. 397 do pass. (74-8)  
That House Bill No. 403 do pass. (80-0)  
That House Bill No. 420 do pass. (85-1).  
That the committee rise and report.

Lockrem moved that House Bill No. 281 be segregated from the Committee of the Whole report and as amended, the Committee of the Whole report be adopted.

Motion carried.

ROLFE, Chairman

Report adopted as amended.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 16 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 65.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Castles, Clemow, Cox, East, Ellerd, Hager, Holtz, Johnston, Jones, Kolstad, Lockrem, Lund, Lundgren, Mercer, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 29.

Excused: None.

Absent or not voting: Forsgren, Galt, Hubing, Manuel, Nichols, Stephens. Total 6.

Paired: Flynn, aye; Barrett, nay; Quilici, aye; Lockrem, nay; Lombardi, aye; Walborn, nay; Greely, aye, Burnett, nay.

House Bill No. 17 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston,

Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 63.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Clemow, Cox, East, Ellerd, Galt, Hager, R. Harper, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lien, Lockrem, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 36.

Excused: None.

Absent or not voting: Huennekens. Total 1.

Paired: Flynn, aye; Barrett, nay; Lombardi, aye, Walborn, nay; Quilici, aye, Kvaalen, nay; Greely, aye, Burnett, nay.

Huennekens moved to amend House Bill No. 119 on page 2, Section 1, subsection 2 (b), line 16 after the word "federal", by inserting the words "or military".

Motion failed.

House Bill No. 119 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Ainsworth, Brand, Jacobsen, Lien, Lund, Manuel, Roberts, Turner, Walborn. Total 9.

Excused: Flynn, Quilici. Total 2.

Absent or not voting: Greely. Total 1.

Paired: Lombardi, aye; Ainsworth, nay.

House Bill No. 164 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely. Total 1.

House Bill No. 174 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Gunderson, Jacobsen, Lien, Stephens, Tierney. Total 5.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely, Shelden. Total 2.

House Bill No. 191 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 92.

Noes: Schye. Total 1.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bell, Greely, Zimmer, Mr. Speaker. Total 4.

House Bill No. 210 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Brand, Driscoll, East, Edland, Fleming, Gunderson, Hageman, Hager, Hubing, Kessner, Kvaalen, Lien, Marks, Prevost, Schepens, Selstad, Smith, Walborn. Total 18.

Excused: Flynn, Quilici. Total 2.

Absent or not voting: Greely. Total 1.

Paired: Lombardi, aye; Fleming, nay.

House Bill No. 235 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,



Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stoltz, Smith, Staigmillier, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Ellerd, Fleming, Greely. Total 3.

House Bill No. 236 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett, Smith, Walborn. Total 3.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely. Total 1.

House Bill No. 271 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely. Total 1.

House Bill No. 273 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble,

Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Colberg, Greely. Total 2.

House Bill No. 275 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely, Kimble, Zimmer. Total 3.

House Bill No. 301 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 87.

Noes: Burnett, Kessner, Olson, Selstad, Smith, Walborn, Yardley. Total 7.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely, Kimble, Zimmer. Total 3.

House Bill No. 312 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, War-

field, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Forsgren, Hubing, Schye, Selstad, Smith, Staigmiller, Walborn. Total 8.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely, Kimble. Total 2.

House Bill No. 329 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Burnett. Total 1.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely. Total 1.

House Bill No. 347 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Barrett, Clemow, East, Hall, Hubing, McKittrick, Norman. Total 7.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bennetts, Greely, Mehrens, Schye, Zimmer. Total 5.

House Bill No. 198 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.



Noes: None.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Greely. Total 1.

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Asbjornson, Burnett, Kessner, Marks, Mercer, Rolfe, Selstad. Total 7.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Galt, Greely, Lundgren, Schye. Total 4.

House Joint Resolution No. 24 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Asbjornson, Clemow, East, Ellerd, Hubing, Olson, Rolfe, Selstad, Smith. Total 9.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Galt, Lundgren. Total 2.

House Bill No. 239 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Bell, Galt, Kessner, Schye, Selstad. Total 5.

Excused: Flynn, Lombardi, Quilici. Total 3.



Absent or not voting: Johnston, Zimmer. Total 2.

### THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 31 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 80.

Noes: Bennetts, Brand, Hall, H. Harper, Holmes, Marbut, Regan, Stoltz, Tierney, Yardley. Total 10.

Excused: Flynn, Lombardi, Quilici. Total 3.

Absent or not voting: Bradley, Hubing, Jones, Lundgren, Manuel, Norman, East. Total 7.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Employment Relations having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 be tabled.

McKITTRICK, Chairman

East moved, as a substitute motion, that House Bill No. 264 be taken from the table, printed and placed on Second Reading. Fasbender requested a roll call vote with the ayes and nays spread on the Journal.

The substitute motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 46.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 53.

Excused: None.

Absent or not voting: Zimmer. Total 1.

Paired: Quilici, nay; Lockrem, aye; Flynn, nay, Glennen, aye; Lombardi, nay, Cox, aye.

Thereupon, the committee report was adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

FLEMING, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 27, respectfully report as follows: That House Joint Resolution No. 27 do pass.

FLEMING, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:00 p.m., February 7, 1973.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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THIRTY-THIRD LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 7, 1973

House convened, pursuant to adjournment, at 1:00 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Lombardi, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 32nd Legislative Day, find the same to be correct.

QUILICI, Chairman

February 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 157, 196, 253, 314, 321, 332, 370, 397, 403, 416, 422 and House Joint Resolution No. 32.

QUILICI, Chairman

February 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 367.

QUILICI, Chairman

February 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 83, 276, 401, 419, House Resolutions Nos. 6, 9, 4, House Joint Resolutions Nos. 9, 18, 22.

QUILICI, Chairman

February 7, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 4, 14, 32, 33 and 72 and House Joint Resolution No. 3, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 34.

QUILICI, Chairman

February 6, 1973

I have examined House Bill No. 34 introduced by me and find the same to be correct.

LUCAS

The Speaker signed in open session House Bill No. 34.

February 2, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do not pass.

MEHRENS, Chairman

Towe moved, as a substitute motion, that House Bill No. 122 be printed and placed on Second Reading. Towe requested a roll call vote and sufficient seconds arose.

The substitute motion passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 74.

Noes: Ainsworth, Asbjornson, Barrett, Burnett, Campbell, Castles, Clemow, East, Ellerd, Glennen, Haines, Holtz, Hubing, Jones, Kessner, Lund, Marks, Rolfe, Schye, Seifert, Selstad, Ulmer, Walborn. Total 23.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Lundgren. Total 1.

February 7, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 480, respectfully report as follows: That House Bill No. 480 be amended on page 3, section 4, subsection (1), line 6, after the figure "(1)" by striking the following material: "[In a home solicitation sale, unless a buyer requests the seller to provide goods or services without delay in an emergency, the]" and inserting in lieu thereof the word "The", and

Further amend on page 4, section 5, subsection (3), line 25, after the word "shall" by inserting the word "also", and

Further amend on page 5, section 6, subsection (2), line 22, after the

word "risk" by inserting the following material: "and such goods must be returned in substantially the same condition as received", and

Further amend on page 5, section 6, subsection (3), line 25, after the word "shall" by striking the following material: "[be entitled to no compensation]" and inserting in lieu thereof the following material: "not be entitled to enforce the contract but shall be entitled to reasonable compensation", and

As so amended, do pass.

(Material in brackets denotes cancelled type.)

MEHRENS, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 be amended on page 2, section 1, subsection (b), line 9, after the word "own" by striking the following material: "[residence, provided that said residence is maintained for his own use]" and inserting in lieu thereof the word "property", and

As so amended, do pass.

(Material in brackets denotes cancelled type.)

MEHRENS, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 be held over until the second half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 be amended in the title on page 1, line 8, after the word "to" by striking the following material: "[an out of state]", and inserting in lieu thereof the word "a", and

As so amended, do pass.

(Material in brackets denotes cancelled type.)

MEHRENS, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely,



Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Campbell, Kolstad, Kvaalen, Mercer, Tierney, Towe, Ulmer. Total 7.

Excused: Ageson, Lombardi. Total 2.

Absent or not voting: Ainsworth, Clemow, Ellerd, Glennen, R. Harper, Lundgren, Schye, Smith, Turman, Zimmer. Total 10.

### MESSAGES FROM THE SENATE

February 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 9, introduced by Lynch & Moore (by request)

Senate Bill No. 192, introduced by Thiessen

Senate Bill No. 193, introduced by Thiessen

Senate Bill No. 308, introduced by McDonald & Boylan

Senate Bill No. 352, introduced by McKeon

Senate Bill No. 386, introduced by Northey & McOmber

Sincerely yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Bill No. 14 were concurred in on roll call vote this day.

Sincerely yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 10, introduced by Holmes (by request), was read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Sincerely yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 17, and requests the House to appoint a Conference Committee to confer with a like committee from the Senate on said amendments.

The President of the Senate appointed the following:

Senator McKeon, Chairman

Senator Lowe

Senator Devine

Sincerely yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Towe moved that House Bill No. 121 be taken from Committee on Business and Industry and be printed and placed on Second Reading. Towe requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Lien, Lund, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 60.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Jones, Kessner, Laas, Lee, Lockrem, Lucas, Lundgren, Lynch, Mercer, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Ulmer, Walborn. Total 36.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Ainsworth, Marbut. Total 2.

Hall moved that the Speaker appoint a conference committee of three to meet with a like committee from the Senate on House amendments to Senate Bill No. 17.

Motion carried.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 5 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lynch, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman,

Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Ainsworth, Flynn, Kessner, Lundgren, McKitt-trick, Turner. Total 6.

House Bill No. 18 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 78.

Noes: Asbjornson, Campbell, Cotton, Cox, Galt, Hall, Healy, Kendall, Lee, Lund, Lynch, Quilici, Staigmillar, Walborn, Zimmer, Mr. Speaker. Total 16.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn, Lundgren, Nichols, Smith. Total 4.

House Bill No. 44 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Laas, Lee, Lien, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 65.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Campbell, Castles, Cox, Ellerd, Galt, Glennen, Hager, H. Harper, Holtz, Jones, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Mercer, Olson, Rolfe, Selstad, Turner, Ulmer. Total 27.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Clemow, Flynn, Hall, Kessner, Kosena, Smith. Total 6.

House Bill No. 152 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brand, Brown, Clemow, Cotton, East, Edland, Fasbender, Fleming, Glennen, Gunderson, Hageman, Hall, Halvorson, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Tierney, Turner, Walborn, Zimmer, Mr. Speaker. Total 55.

Noes: Ainsworth, Baucus, Bennetts, Bradley, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, Ellerd, Fagg, Forsgren, Galt, Greely, Hager, Haines,



H. Harper, R. Harper, Jacobsen, Johnston, Kendall, Kimble, Kvaalen, Lockrem, Nichols, Norman, Olson, Roberts, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley. Total 39.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn, Menahan, Selstad, Smith. Total 4.

House Bill No. 230 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Burnett. Total 1.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn, Johnston, Smith. Total 3.

House Bill No. 238 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fashbender, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Bell, Burnett, Campbell, Castles, Clemow, Ellerd, Glennen, Hubing, Jones, Mercer, Selstad. Total 11.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn. Total 1.

House Bill No. 283 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fashbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Warfield, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Burnett, Haines, Quilici. Total 3.

Excused: Aageson, Lombardi. Total 2.



Absent or not voting: Ainsworth, Fagg, Flynn, Schye, Stephens. Total 5.

House Bill No. 308 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Ainsworth, Flynn. Total 2.

House Bill No. 328 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 92.

Noes: Baucus, Burnett, Tierney, Yardley. Total 4.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Fasbender, Flynn. Total 2.

House Bill No. 352 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn. Total 1.

House Joint Resolution No. 16 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Flynn, Galt, Haines, Schye. Total 4.

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fاسبender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Clemow, Colberg, Kimble. Total 3.

Excused: Aageson, Lombardi. Total 2.

Absent or not voting: Burnett, East, Flynn, Galt, Schye, Turner. Total 6.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 570, introduced by Ellerd, Lien: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V, of the Constitution of Montana reinstating biennial sessions of the Legislative Assembly." Referred to Committee on Rules.

Senate Bill No. 9, introduced by Lynch, Moore: A bill for an act entitled: "An act implementing Article II, Section 14, 'adult rights' of the 1972 Montana Constitution, by providing persons eighteen (18) years of age or older with certain rights; and amending Sections 3-1503, 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-951, 11-1602, 11-1817, 26-915, 31-127, 31-128, 40-5324, 41-1135, 41-1136, 41-2304, 48-143, 59-301, 61-203, 64-101, 66-1305, 66-3208, 69-1509, 69-1604, 75-8702, 80-1415, 81-407, 81-908, 93-1301, 93-100-2, 94-2721, 94-3702, 94-35-106, and 94-35-106.2, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 192, introduced by Thiessen: A bill for an act entitled: "An act to amend Section 75-6915, R.C.M. 1947, to reconcile said section of law with Section 75-6902, R.C.M. 1947, by deleting the provision for a non-accredited school to receive county equalization moneys."

Referred to Committee on Education.

Senate Bill No. 193, introduced by Thiessen: A bill for an act entitled: "An act to amend Section 75-6904, R.C.M. 1947, to redefine the eligibility of school districts for an average number belonging increase due to an unusual enrollment increase." Referred to Committee on Education.

Senate Bill No. 308, introduced by McDonald, Boylan: A bill for an act entitled: "An act to provide for the establishment of requirements on milk for manufacturing purposes and its production and processing, known as the 'Manufactured Dairy Products Act'; repealing Sections 3-2488 through 3-24-137, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 352, introduced by McKeon: A bill for an act entitled: "An act to create the position of Montana code commissioner; to provide for salaries and travel allowances and for compensation to clerical assistants; to confirm powers of the Montana Supreme Court to appoint a code commissioner and to supervise performance of the commissioner's duties; to make an appropriation; to specify an immediate effective date; and to repeal Sections 12-301 through 12-329, R.C.M. 1947." Referred to Committee on Finance and Claims.

Senate Bill No. 386, introduced by Northey, McOmber: A bill for an act entitled: "An act requiring slow-moving vehicles to yield to other vehicles following it; authorizing the establishment of turnout areas; defining a slow-moving vehicle; amending Section 32-2147, R.C.M. 1947; and providing an effective date." Referred to Committee on Highways and Transportation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Nichols in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 125 do pass (73-23).

That House Bill No. 128 be passed for the day.

That House Bill No. 148 do pass (86-1).

That House Bill No. 155 do not pass (54-40).

That House Bill No. 197 do pass (84-0).

That House Bill No. 204 do pass (81-0).

That House Bill No. 244 do pass (78-0).

That House Bill No. 245 do pass (78-0).

That House Bill No. 250 do pass (81-11).

That House Bill No. 251 do pass (54-35).

That House Bill No. 252 do pass (76-1).

That House Bill No. 268 do pass (54-43).



That the Committee rise and report.

NICHOLS, Chairman

Report adopted.

## REPORTS OF STANDING COMMITTEES

February 7, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 570, respectfully report as follows: That since the sponsor thought he was using the correct procedure in introducing House Joint Resolution No. 19, he should be allowed to substitute House Bill No. 570 for House Joint Resolution No. 19, they being on the identical subject.

FASBENDER, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 22, respectfully report as follows: That Senate Joint Resolution No. 22 be amended on page 1, lines 6 and 7 of the title, after the words "study of" by striking the words "[legislation leading to the adoption of]", and

Be further amended on page 1, lines 11 and 12 of the title, after the word "and" by striking the words "[report its findings to the Second Session of the Forty-third Legislative Assembly, together with]" and inserting in lieu thereof "if they find such legislation feasible, to", and

Be further amended on page 2, line 20, after the word "study" by deleting the words "[leading to draft legislation providing for]" and inserting in lieu thereof "to determine the feasibility of", and

Be further amended on page 3, lines 8, 9, 10, and 11, after the word "resolved", by deleting the words "[that a report of its research and draft legislation shall be prepared by the legislative council and submitted to the Second Session of the Forty-third Legislative Assembly]" and inserting in lieu thereof "that if the council finds such legislation feasible, it is requested to draft legislation for the implementation of such a system", and

As amended, do be concurred in.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 be amended on page 1, line 7 of the title, after the words "permitting a", by deleting the word "[driver]" and inserting in lieu thereof the word "traffic", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways, having had under



consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

LAAS, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do pass.

LAAS, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 be amended on page 1, line 9 of the title, after "vehicle" by inserting "having a cargo bed",

And be further amended on page 1, section 1, line 23, after "vehicle" by inserting "having a cargo bed",

And as so amended, do pass.

LAAS, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 be amended in section 2, subsection (7), page 3, line 7, after the word "nongame" by striking the word "[species]" and inserting in lieu thereof the word "wildlife",

And be further amended in section 2, subsection (7), page 3, line 10, after the word "state", by striking the punctuation "[;]", and inserting the following material: ". Animals designated by statute or regulation of this state as predatory in nature are not classified as 'nongame wildlife' for purposes of this act;"

And be further amended in section 3, subsection (4), page 4, starting with line 16, through and including line 19, by striking the material contained therein in its entirety,

And be further amended in section 8, subsection (1), page 9, line 22, after the word "of" by striking the following material: "[subsection (3) of section 4, or any regulations issued under section 4]" and inserting in lieu thereof the words: "this act",

And be further amended in section 8, subsection (1), page 9, line 25, after the word "be" by striking the following material: "[subject to the penalties prescribed in section 26-324]", and inserting in lieu thereof the words: "guilty of a misdemeanor",

And be further amended in section 8, subsection (2), page 10, line 2, through and including line 7, by striking the material contained therein in its entirety,

And be further amended by renumbering subsequent subsections to conform numerically,

And be further amended in section 8, subsection (3), page 10, line 9, after the word "any" by striking the word "[police]", and inserting in lieu

thereof the word "peace",

And be further amended in section 8, subsection (3), page 10, starting with line 11, through and including line 23, by striking all the material contained therein in its entirety, and inserting in lieu thereof the following material: "to enforce the provisions of this act.",

And be further amended in section 8, subsection (4), page 10, line 24, by striking the following material: "[Equipment, merchandise, wildlife, or records]", and inserting in lieu thereof the word: "Wildlife",

And be further amended in section 8, subsection (4), page 10, line 25, by striking the following material: "[subsection (3) of this section]", and inserting in lieu thereof the words: "this act",

And be further amended in section 8, subsection (4), page 11, line 3, after the word "for" by striking the words: "[destruction or]",

And be further amended in section 8, subsection (4), page 11, line 7, after the word "safekeeping", by striking the following material: "[, costs thereof to be assessable to the defendant]",

And be further amended in section 10, page 12, starting with line 10, through and including line 17, by striking all the material contained therein in its entirety,

And as so amended, do pass.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do not pass.

STAIGMILLER, Chairman

The Committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Bennetts, Bradley, Burnett, Edland, Ellerd, Flynn, H. Harper, Kessner, Marks, Mehrens, Menahan, Schepens, Stoltz, Turman, Turner, Warfield. Total 16.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 417, respectfully report as follows:

That House Bill No. 417 do pass.

STAIGMILLER, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 452, respectfully report as follows: That House Bill No. 452 do not pass.

STAIGMILLER, Chairman

The Committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Brand, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lynch, McKitterick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Turner, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Johnston, Tierney. Total 2.

Excused: Lombardi. Total 1.

Absent or not voting: Bardanoue, Bell, Bradley, Brown, Burnett, Colberg, Edland, Ellerd, Flynn, Hager, Kimble, Lockrem, Lundgren, Menahan, Nichols, Norman, Schepens, Selstad, Towe, Turman, Ulmer, Warfield. Total 22.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13 do not pass.

STAIGMILLER, Chairman

The Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lien, Lucas, McKitterick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: H. Harper, Lynch, Tierney. Total 3.

Excused: Lombardi. Total 1.

Absent or not voting: Aageson, Bardanoue, Bell, Bradley, Brown, Burnett, Edland, Ellerd, Fasbender, Fleming, Flynn, R. Harper, Holtz, Kimble, Lee, Lockrem, Lund, Lundgren, Menahan, Nichols, Norman, Schepens, Smith, Turman, Walborn, Warfield, Watt. Total 27.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 15, respectfully report as follows: That House Joint Resolution No. 15 be amended in the title on page 1, line 5, after the words "requesting the" by striking the following

material: "[Fish and Game Department to study the financial feasibility of creating a state park or state wilderness area in the Crazy Mountains]", and inserting in lieu thereof the following material: "appointment of a special legislative sub-committee to study the financial feasibility and the recreational possibilities in the State of Montana for the creation of additional state recreation and wilderness areas, the creation of a new policy to acquire and develop Montana lands for recreational and wilderness purposes, and the designation of the Snowy Mountain Range, located just south of Lewistown, Montana, and the Crazy Mountain Range, located north of Livingston, Montana, as pilot areas in said study",

And be further amended, starting with page 1, line 10, through and including page 2, line 13, by striking all the material contained therein in its entirety, and inserting in lieu thereof the following material:

"WHEREAS, at the current time there remain millions of acres in Montana that are unique in their value to the state as open, wild and primitive areas, and

WHEREAS, protection and preservation of the environment could be enhanced by the creation and maintenance of these areas into state parks and wilderness areas, and

WHEREAS, at the current time much of Montana's back country and high country is becoming increasingly congested with hikers, backpackers, and horseback riders, and

WHEREAS, the use of back country and high country is certain to increase rapidly, and

WHEREAS, other states are now finding their wilderness congested to the extent that even high lakes have become polluted, and

WHEREAS, wilderness is a great part of the heritage of Montanans and western man, and

WHEREAS, immediate planning action will help alleviate present problems of use of these areas and reduce future complications of these problems, and

WHEREAS, much prime land in Montana exists which could be traded, purchased or developed into large recreational and wilderness areas, and

WHEREAS, there are many small portions and parcels of land which could be purchased thereby opening up the gateway to thousands of acres of prime federal land, and

WHEREAS, at the current time no existing or firm policy prevails as to how the land could be developed, and how the various state agencies of Montana could jointly coordinate an effort into developing an overall land use pattern for recreational land, and

WHEREAS, within the composition of the legislature and existing state government much talent exists which could be utilized in the developing of a firm land use recreational policy for the state of Montana, and

WHEREAS, this type of decision-making body is vitally needed so that land currently in the unspoiled state can be preserved for future Montana generations, and

WHEREAS, the Snowy Mountain Range, located just south of Lewistown, Montana, and the Crazy Mountain Range, located north of Livingston, Montana, are of great beauty and are basically unspoiled, existing in their primitive state, and



WHEREAS, a great portion of the Snowy Mountain Range and the Crazy Mountain Range could be preserved for future generations in their current wild, scenic and natural atmosphere if immediate action is taken, and

WHEREAS, many landowners and ranchers in these areas are desirous of consolidating private land into private portions, and government or state land into similar contiguous portions, thereby eliminating the current checkerboard pattern of land use, and

WHEREAS, many current uses in these areas are detrimental to the fragile, alpine uses and need adequate control so that the wilderness areas can continue, and

WHEREAS, the drainages within these areas are clean, unpolluted streams and should remain in that condition,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Speaker of the House of Representatives and the President of the Senate each appoint a special subcommittee consisting of five (5) members who will be so instructed to work with a representative for the Department of Fish and Game, a representative for the Department of Natural Resources and Conservation, and a representative for the U. S. Forest Service, Region One, in the developing of a new policy for the creation of state wilderness and park lands, and

BE IT FURTHER RESOLVED, that the members of the special subcommittee appointed under this resolution be physically capable of participating in any on-the-site inspections of areas considered in the study, and

BE IT FURTHER RESOLVED, that this special subcommittee in the developing of the plan for acquisition and long-range planning for recreational and wilderness lands be so instructed to develop programs and methodology for funding an acquisition program, and programs and methodology for administration of the program, and

BE IT FURTHER RESOLVED, that the final program developed for the ultimate use of the land be of such nature that it will protect the private landowner from abuse by the public. Additionally, the final development must provide environmental, aesthetic and legitimate controls on the public areas which will allow wilderness conditions to continue in the areas, and

BE IT FURTHER RESOLVED, that the Snowy Mountain Range, located just south of Lewistown, Montana, and the Crazy Mountain Range, located north of Livingston, Montana, be designated as pilot areas in the study generated by this joint resolution and, as such, that they receive priority in said study, and

BE IT FURTHER RESOLVED, that if the lands lying adjacent to the drainages of the Snowy Mountain Range and the Crazy Mountain Range are to shift in ownership to the state, the water rights currently on these drainages shall remain in the ownership of those presently holding them, or that equal vested water rights be transferred, and that they be protected and remain unpolluted, and

BE IT FURTHER RESOLVED, that this special subcommittee and its members present a report to the legislature no later than January 5, 1976, and

BE IT FURTHER RESOLVED, that a copy of this joint resolution be sent to the Secretary of State, to the members of the Fish and Game Commission, to the Montana Environmental Quality Council, to the Department of Natural Resources and Conservation, to the U. S. Forest Service, Region

One office, and to the governor of the state of Montana.”

And as amended, do pass.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 31, respectfully report as follows: That House Joint Resolution No. 31 do pass.

STAIGMILLER, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Resolution No. 13, respectfully report as follows: That Senate Joint Resolution No. 13 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 478, respectfully report as follows: That House Bill No. 478 do pass.

GREELY, Vice-Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 552, respectfully report as follows: That House Bill No. 552 do pass.

GREELY, Vice-Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 be held over until the second session of the 43rd legislative assembly in January, 1974.

GREELY, Vice-Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 491, respectfully report as follows: That House Bill No. 491 be amended as follows:

Amend on page 1, section 1, line 19 by after the word “preceding”, inserting the word “general” and,

Further amend on page 2, section 1, line 2, after the word “preceding” inserting the word “general” and,

Further amend on page 2, section 1, line 12 after the word “preceding”

inserting the word "general" and,

Further amend on page 2, section 1, subsection (5), line 14-17 by deleting the first sentence of subsection (5) and inserting in lieu thereof the following "Such certificates shall be filed on or before the filing deadline for the primary election as established by law."

And as amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 be held over until the second session of the 43rd legislative assembly in January, 1974.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 be held over until the second session of the 43rd legislative assembly in January, 1974.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 do pass.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do pass.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 496, respectfully report as follows: That House Bill No. 496 do pass.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 540, respectfully report as follows: That House Bill No. 540 do pass.

KOSEN, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 556, respectfully report as follows: That House Bill No. 556 be amended as follows: Amend on page 6, section 5, line 13 by striking the "[s]" on "residents" and further amend on page 6, section 5, line 13 after the word "residents" insert the word "freeholders",

And as amended, do pass.

(Material in brackets denotes cancelled type.)

KOSENA, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do not pass.

KOSENA, Chairman

The Committee report was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunder-son, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Laas, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Rolfe, Schye, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Aageson, Ainsworth, Bennetts, Brown, Edland, Ellerd, Flynn, Hager, Holmes, Kimble, Kvaalen, Lee, Lien, Lockrem, Lundgren, Mehrens, Norman, Quilici, Roberts, Schepens, Seifert, Staigmiller, Turman, Turner, Walborn, Zimmer. Total 26.

Fasbender moved that the House adjourn until 1:30 p.m., February 8, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 8, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.



On roll call all members were present except Lombardi, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-Third Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

February 8, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 34, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 121, 122, 214, 220, 333, 373, 446, 477 and 504, and House Joint Resolution No. 27.

QUILICI, Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 96, 136, 171 and 237.

QUILICI, Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 93, 145, 148, 197, 204, 209, 244, 245, 250, 251, 252, 268, 272, 246, 420 and 392.

QUILICI, Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 91.

QUILICI, Chairman

February 8, 1973

I have examined House Bill No. 91 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed in open session House Bill No. 91.

February 8, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Pages terminated: Greg Johnson, Jan Leishman, Ann Regan, Joe Ruby, Kerri Burkhardt, Barbara Boggio, Michael Johnson, Tom Wester.

New pages as of February 8, 1973: Cory Carlson, Paul Crowley, Mary Sue Graham, Ann Kilborne, Susan Lynn Brown, Paul Donohoe, Diane Etchart, and Bridget Sullivan.

Margie Mitchke be removed from the payroll effective February 8, 1973.

Donna Carney be changed from Typist to Secretary to Assistant Chief

Clerk, as of February 8, 1973.

Joan Crum, Typist, be added to the payroll as of February 2, 1973.  
EDLAND, Chairman

Report adopted.

February 6, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 be amended on page 1, lines 6 and 7 of the title, after "Amend" by deleting "[Section]" and inserting in lieu thereof "Sections", and after "31-120," by inserting "31-134," and

Be further amended on page 1, line 9 of the title, after "Chauffeur" by inserting "; and further providing for issuance of classified chauffeur licenses without examination to holders of valid chauffeur licenses and the issuance without examination of motorcycle endorsements to holders of valid operator or chauffeur licenses", and

Be further amended on page 1, Section 1, Subsection (b), lines 22 and 23, after "excess of" by deleting "[twenty-four thousand (24,000)]" and inserting in lieu thereof "twenty-eight thousand (28,000)", and

Be further amended on page 2, Section 1, Subsection (c), line 11, after "weighing over" by deleting "[twenty-four thousand (24,000)]" and inserting in lieu thereof "twenty-eight thousand (28,000)", and

Be further amended on page 2, line 22, by adding a new Section 2 which reads as follows:

Section 2. Section 31-134, R.C.M. 1947, is amended to read as follows:

"31-134. Examination of applicants. (a) The board shall examine every applicant for an operator's or chauffeur's license, except as otherwise provided in this Section. Such examination shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, his knowledge of the traffic laws of this state, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The board shall make provision for giving an examination either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant within not more than thirty (30) days from the date the application is received.

[(b) The board shall issue without examination an operator's license to any person applying therefor within six (6) months after this Section takes effect who furnished evidence satisfactory to the board that he is not disqualified under the provision of this act and that he has previously operated a motor vehicle in a satisfactory manner for a period of not less than one (1) year.] (b) A classified chauffeur's license of the lowest classification specified by regulations established pursuant to the provisions of Section 31-128, (a), shall be issued without examination to any individual who possesses a non-classified chauffeur's license at the time of his renewal next following passage of this act.

(c) A classified chauffeur's license of the highest classification specified by regulations established pursuant to the provisions of Section 31-128 (a) shall be issued without examination to any individual who possesses a nonclassified chauffeur's license at the time of his renewal next following passage of this act, provided that the individual presents at the time of renewal a certificate of driver qualifications as specified by regulations established pursuant to the provisions of Section 31-128 (a).

(d) The board shall issue without examination a motorcycle endorse-

ment to any person applying thereof who possesses a valid operator's or chauffeur's license at the time of his renewal next following passage of this act who furnishes evidence satisfactory to the board that he is not disqualified under the provisions of this act and that he has previously operated a motorcycle in a satisfactory manner for a period of not less than one year."

And, as amended, do pass.

LAAS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 8, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

KOSENSA, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 544, respectfully report as follows: That House Bill No. 544 be amended by striking all the material after the enacting clause and insert in lieu thereof the following new material:

Section 1. Section 16-2618, R.C.M. 1947, is amended to read as follows:

"16-2618. (4767) Deposit of public funds by county, city and town treasurers. (1) It shall be the duty of all county, city and town treasurers to deposit all public moneys in their possession and under their control in any solvent bank or banks located [in the county, city or town of which such treasurer is an officer,] in the county in which their office is located or any county contiguous thereto, subject to national supervision or state examination as the board of county commissioners in the case of a county, or of the council in the case of a city or town, may designate, and no other. The treasurer shall take from such bank such security as the board of county commissioners, in the case of a county, or the council in the case of a city or town, may prescribe, approve and deem fully sufficient and necessary to insure the safety and prompt payment of all such deposits, together with the interest on any time or savings deposits, provided that said board of county commissioners or city or town council is hereby authorized to deposit such public moneys not necessary for immediate use by such county, city or town with any bank authorized herein above in a savings or time deposit; provided that it shall be the duty of the board of county commissioners or the city or town council to seek out the best terms, including but not limited to the highest interest rates and best quality of service available from the bank or banks located within the county or in counties contiguous thereto and to direct the treasurer to invest the money with the bank determined to be offering the best terms, and provided that said board of county commissioners, or city or town council is hereby authorized to invest such public moneys not necessary for immediate use by such county, city or town, in direct obligations of the United States government, payable within not to exceed one hundred eighty (180) days from the time of such investment.

(2) Said board of county commissioners, city or town council may require security for only such portion of deposits as is not guaranteed or insured according to law. Such security shall consist of cashier's check or checks issued by the Federal Reserve Bank, bonds of the United States government and its dependents, bonds guaranteed by the United States government or its dependents, bonds and warrants of the State of Mon-



tana, bonds and warrants of any county of the State of Montana, and bonds of any city, town or school district of the State of Montana, which are a general obligation of such county, city or town or school district, bonds of the Federal Land Banks, Federal Intermediate Credit Bank debentures, Federal Home Loan Bank notes and bonds, Bank for Co-operatives' debentures, Federal National Mortgage Association notes, bonds and guaranteed certificates of participation, obligations of or fully guaranteed by the Government National Mortgage Association, Farmers' Home Administration insured notes, notes fully guaranteed as to principal and interest by the Small Business Administration, Federal Housing Administration debentures, general obligation bonds of other states and counties of other states and bonds issued in the United States of America, which are quoted on the New York market which shall be acceptable at not to exceed ninety per centum (90%) of such market quotation.

(3) When negotiable securities are furnished, such securities may be placed in trust and the trustee's receipt may be accepted in lieu of the actual securities when such receipt is in favor of the treasurer, his successors and the State of Montana, and the form of receipt and the trustee have been approved by the state examiner. All warrants or other negotiable securities must be properly assigned or endorsed in blank. It shall be the duty of the board of county commissioners in the case of county funds, or the council in the case of funds of a city or town, upon the acceptance and approval of any of the above-mentioned bonds or securities, to make a complete minute entry of such acceptance and approval upon the record of their proceedings, and such bonds and securities shall be reapproved at least quarter annually thereafter.

[(4) When more than one bank is available in any county, for the deposit of county funds, or in any city or town for the deposit of city or town funds, such deposits shall be distributed ratably among all of such banks qualifying thereof, substantially in proportion to the paid in capital and surplus of each such bank willing to receive such deposits under the terms of this act, and it shall be the duty of said county, city or town treasurer to prorate all such deposits among all of the banks qualified to receive the same as in this act provided, to the end that an equitable distribution of such deposits shall be maintained.]

[(5)] (4) Whenever it shall come to the attention of the state examiner that the funds of any county, city or town are not properly [distributed] deposited as provided in this act, the state examiner shall order the treasurer of such county, city or town to [distribute] deposit said funds in accordance herewith, and if such treasurer shall refuse or neglect to comply with such order, it shall be the duty of the state examiner to institute proceedings against such treasurer at the cost of the county, city or town of which such treasurer is an officer, on the official bond of such treasurer. [If no such bank exists in the county, city or town, or if any bank or banks existing therein fails or refuses to qualify under the terms of this act to receive such deposits, then and in such case, or in either of such cases, such moneys as have not been accepted by any bank or banks within said county, city or town shall be deposited under the terms of this act, in the bank or banks most convenient to such county, city or town, willing to accept such deposits under the terms of this act, and qualified as above provided.] Any bank or banks receiving such deposits, shall, through its president and cashier, made a statement quarter annually of account, under oath, showing all such moneys that have been deposited with such bank during the quarter, the amount of daily balance in dollars, and the amount of interest by such bank or banks credited or paid therefore, and showing that neither such bank nor any officer thereof, nor any person for it, has paid or given any consideration or emolument whatsoever to the treasurer or to any person other than the interest provided for herein, for or on account of the making of such deposits, with any such bank. All such deposits shall be subject to withdrawal by the treasurer in such amounts as may be necessary from time to time, and no deposit of



funds shall be made, or permitted to remain in any bank, until the security for such deposits shall have been first approved by the board of county commissioners in the case of county funds, or by the council in the case of city or town funds, and delivered to the treasurer.

[(6)] (5) Except as provided in Subsection [(8)] (7) of this Section, all interest paid and collected on such deposits or investments shall be credited to the general funds of the county, city or town to whose credit such funds are deposited. Where moneys shall have been deposited in accordance with the provisions of this act, the treasurer shall not be liable for loss on account of any such deposit that may occur through damage by the elements or for any other cause or reason occasioned through means other than his own neglect, fraud, or dishonorable conduct.

[(7)] (6) Any bank pledging securities as provided in this act at any time it seems advisable or desirable may substitute like securities for all or any part of the securities pledged. The collateral so substituted shall be approved by the governing body of the county, city or town at its next official meeting. Such securities so substituted shall at the time of substitution be at least equal in principal amount to the securities for which substitution is made. In the event that the securities so substituted are held in trust, the trustee shall, on the same day the substitution is made, forward by registered or certified mail to the county, city or town and to the depository bank, a receipt specifically describing and identifying both the securities so substituted and those released and returned to the depository bank.

[(8)] (7) Whenever in the judgment of the trustees of any common school district, high school district, or county high school it would be advantageous to invest any money of such school or school district in savings or time deposits in a state or national bank insured by F.D.I.C., or in direct obligations of the United States government, payable within one hundred eighty (180) days from the time of investment, such governing body may in its discretion direct the county treasurer to make such investments. All interest collected on such deposits or investments shall be credited to the fund from which the money was withdrawn, provided that nothing in this act shall be interpreted to conflict with Section 16-2050."

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 8, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 be amended, starting in the title on page 1, line 6, through and including line 16 on page 43, by striking all the material contained therein in its entirety, and inserting in lieu thereof the following material:

"A bill for an act entitled: "An act to create the Board of Public Education and the Board of Regents of Higher Education, and to establish the State Board of Education as provided for by Article X, Section 9, of the 1972 Montana Constitution; to assign powers and duties to the boards; to amend Sections 79-2002 and 82-401, R.C.M. 1947; and to repeal Sections 75-5601 through 75-5606 and 75-5608, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. (1) The Board of Public Education is the board created by Article X. Section 9, Subsection (3) of the 1972 Montana Constitution.

(2) "Board of Regents" means the Board of Regents of Higher Education created by Article X, Section 9, Subsection (2) of the 1972 Montana Constitution.

(3) The State Board of Education is the board composed of the Board of Public Education and the Board of Regents as specified in Article X, Section 9, Subsection (1) of the 1972 Montana Constitution.

(4) "Commissioner" means the commissioner of higher education created by Article X, Section 9, Subsection (2) of the 1972 Montana Constitution.

Section 2. (1) The Board of Public Education consists of seven (7) members appointed by the governor and confirmed by the senate. The governor, superintendent of public instruction, and commissioner are ex officio non-voting members of the Board of Public Education.

(2) The Board of Regents consists of seven (7) members appointed by the governor and confirmed by the senate. The governor, superintendent of public instruction and commissioner are ex officio non-voting members of the Board of Regents.

(3) Appointments to the Board of Public Education and to the Board of Regents are subject to the following qualifications:

(a) Not more than four (4) may be from one (1) congressional district;

(b) Not more than four (4) may be affiliated with the same political party;

(c) The terms of members appointed to each board shall be seven (7) years except as provided in Section 11 of this act;

(d) When a vacancy occurs, the governor shall appoint a member for the remainder of the term of the incumbent, and such appointment shall preserve the balance required by Subsections (a) and (b) above;

(e) A person may not be appointed to concurrent memberships on the Board of Public Education and the Board of Regents.

(4) An appointed member of either board shall take and subscribe to the constitutional oath of office and file it with the secretary of state before he may serve as a member of either board.

Section 3. (1) There is a commissioner of higher education who is appointed by the Board of Regents.

(2) The Board of Regents shall prescribe the term and duties of the commissioner and shall set his compensation.

(3) The Board of Regents shall provide sufficient staff and office space to the commissioner for him to carry out his duties.

Section 4. (1) The Board of Public Education and the Board of Regents shall each select a chairman from among their appointed members.

(2) The superintendent of public instruction shall serve as secretary to the Board of Public Education, and the commissioner shall serve as secretary to the Board of Regents.

(3) A majority of the appointed members of each board constitutes a quorum for the transaction of business.

Section 5. (1) The Board of Public Education and the Board of Regents shall meet quarterly at the same location on the second Monday of April, July, September and December.

(2) Other meetings of either board may be called by the governor, by the chairman, by the secretary or by four (4) appointed members.

(3) The secretary to each board shall mail notice to each member at least seven (7) days in advance of all meetings of the respective board.

Section 6. Appointed members of the Board of Public Education and the Board of Regents are entitled to twenty-five dollars (\$25) per day and their necessary and actual expenses incurred for each day in attendance at board meetings or in the performance of any duty or service as a board member.

Section 7. (1) The Board of Public Education and the Board of Regents meeting together as a State Board of Education shall be responsible for long-range planning, and for coordinating and evaluating policies and programs for the public educational systems of the state. The State Board of Education shall review and unify the budget requests of educational entities assigned by law to the Board of Public Education, the Board of Regents, or the State Board of Education and shall submit a unified budget request with recommendations to the appropriate state agency.

(2) The governor is the president of, the superintendent of public instruction is the secretary to, and the commissioner is an ex officio member of the State Board of Education.

(3) The State Board of Education may select a member to chair its meetings in the absence of the governor.

(4) A tie vote at any meeting may be broken by the governor.

(5) A majority of members appointed to the Board of Public Education and the Board of Regents shall constitute a quorum for transaction of business as the State Board of Education.

(6) The Board of Public Education and the Board of Regents shall meet at least twice yearly as the State Board of Education on any two of the dates specified in Section 5, Subsection (1).

(7) Other meetings of the State Board of Education may be called by the governor, by both the secretary to the Board of Public Education and the secretary to the Board of Regents, or by joint action of eight (8) appointed members, four (4) each from the Board of Public Education and the Board of Regents. All meetings of the State Board of Education shall be for the purposes set forth in Subsection (1) above or for the purpose of considering other matters of common concern to the Board of Public Education and the Board of Regents, but the State Board of Education may not exercise the powers and duties assigned by the 1972 Montana Constitution and by law to the Board of Public Education and the Board of Regents.

Section 8. The Board of Public Education, the Board of Regents, and the State Board of Education each shall:

(a) Adopt rules not inconsistent with the constitution or laws of the State of Montana, necessary for its own government or the proper execution of the powers and duties conferred upon it by law;

(b) Adopt and use an official seal to authenticate its official acts; and

(c) Keep a record of its proceedings.

Section 9. (1) The powers and duties assigned to the "Board of Education," "State Board of Education" or "State Board for Vocational Education" in Title 75 and wherever else appearing in the Revised Codes of Montana, 1947, except in Chapters 81 and 84 through 88 of Title 75,



Subsection (14) and (15) of 75-5607, Sections 28-301 through 28-304, 44-213, 59-1111, 66-505 and 77-909 through 77-911 and except as provided in Subsection (3) below, are hereby assigned to the Board of Public Education created in Article X, Section 9, Subsection (3) of the 1972 Montana Constitution.

(2) The powers and duties assigned in Chapters 81 and 84 through 88 of Title 75, R.C.M. 1947, and Subsections (14) and (15) of 75-5607, R.C.M. 1947, as well as powers and duties assigned to the "State Board of Education ex officio Regents", "State Board of Education of the State of Montana, ex officio Regents of the Montana University System," "Regents of the Greater University System," "State Board of Regents" or "Regents of the Montana system" wherever appearing in the Revised Codes of Montana, including those assigned to the "State Board of Education" and the "Board of Education" in Section 28-301 through 28-304, 44-213, 59-1111, 66-505 and 77-909 through 77-911 and excepting as provided in Subsection (3) below, are hereby assigned to the Board of Regents of Higher Education created by Article X, Section 9, Subsection (2) of the 1972 Montana Constitution.

(3) The powers and duties assigned in Chapters 1 and 5 of Title 82A, R.C.M. 1947, to the "State Board of Education" or the "Board of Education" are hereby assigned to the State Board of Education composed of the Board of Public Education and the Board of Regents of Higher Education as specified in Article X, Section 9, Subsection (1) of the 1972 Montana Constitution.

Section 10. (1) It is the intent of the legislature to provide smooth transition from the Board of Education provided for by the 1889 Constitution to the Board of Public Education and to the Board of Regents both created by the 1972 Montana Constitution.

(2) In accordance with Section 6, Subsection (3) of the transition schedule of the 1972 Montana Constitution, members of the 1889 Board of Education appointed before July 1, 1973, may continue to serve for the term to which each was appointed. A member appointed to the 1889 Board of Education before July 1, 1973, who chooses to fulfill his term of office may resign from the 1889 Board of Education and shall notify the governor of his resignation on or before July 1, 1973; and the governor shall appoint him on or before July 1, 1973, to serve on either the Board of Public Education or the Board of Regents for the remainder of the term for which he was appointed.

(3) Appointments to fill vacancies existing on July 1, 1973, on the Board of Public Education and on the Board of Regents:

(a) Shall be made on or before July 1, 1973, so as to assure full membership on each board; and

(b) Shall be for such number of months or years as will cause the expiration of one term on each board on February 1 of each year thereafter.

(4) Appointments to each board in succeeding years shall be made in accordance with Section 2, Subsection (3) (c) of this act.

Section 11. (1) One seat of the appointed members on the Board of Regents shall be reserved for membership by a student appointed by the governor.

(2) The student shall be registered as a full-time student at a unit of higher education under jurisdiction of the Board of Regents.

(3) The length of term of the student member shall be determined by the governor for not less than one (1) year and not more than four (4) years.



(4) The provisions of Section 2, Subsection (3) (a) and (b) of this act shall not apply to the student member and shall not affect the balance of the remaining appointive membership on the Board of Regents.

Section 12. Section 79-2002, R.C.M. 1947, is amended to read as follows:

"79-2002. Definitions. The following terms, wherever used or referred to in this act, shall have the following meanings:

(1) The term "public body" shall include a county, city, town, school district, irrigation district, drainage district, special improvement district, or any other political or governmental subdivision of the State of Montana, and shall also include the [State Board of Education,] Board of Public Education, the Board of Regents, the State Board of Examiners, the State Water Conservation Board, the State Highway Commission, or any other governmental agency of this state.

(2) The term "bonds" shall include bonds, notes, warrants, debentures, certificates of indebtedness, temporary bonds, temporary notes, interim receipts, interim certificates and all instruments or obligations evidencing or representing indebtedness, or evidencing or representing the borrowing of money, or evidencing or representing a charge, lien or encumbrance on specific revenues, income or property of a public body, including all instruments or obligations payable from a special fund."

Section 13. Section 82-401, R.C.M. 1947, is amended to read as follows:

"82-401. General duties. It is the duty of the attorney general:

(1) To attend the supreme court and prosecute or defend all causes to which the state, or any officer thereof, in his official capacity, is a party; and all causes to which any county may be a party, unless the interest of the county is adverse to the state, or some officer thereof acting in his official capacity.

(2) After judgment in any of the causes referred to in the preceding subdivision, to direct the issuing of such process as may be necessary to carry the same into execution.

(3) To account for and pay over to the proper official all moneys which may come into his possession belonging to the state or to any county.

(4) To keep a register of all cases in which he is required to appear, which must, during business hours, be open to the inspection of the public, and must show the county, district, and court in which the cases have been instituted and tried, and whether they are civil or criminal; if civil, the nature of the demand, the state of proceedings, and, when prosecuted to judgment, a memorandum of the judgment, of any process issued thereon, and whether satisfied or not; if not satisfied, the return of the sheriff; and if criminal, the nature of the crime, the mode of prosecution, the stage of proceedings, and, when prosecuted to sentence, a memorandum of the sentence and of the execution thereof, if the same has been executed, and if not executed, of the reason of the delay or prevention; and must deliver the same to his successor in office.

(5) To exercise supervisory powers over county attorneys in all matters pertaining to the duties of their offices, and from time to time require of them reports as to the condition of public business entrusted to their charge.

(6) To give his opinion in writing, without fee, to the legislative assembly, or either house thereof and to any state officer, board, or commission, any county attorney, and the board of county commissioners of any county of the state, when required upon any question of law relating to their respective offices.

(7) When required by the public service, or directed by the governor, to assist the county attorney of any county in the discharge of his duties.

(8) To bid upon and purchase in the name of the state, and under the direction of the Board of Examiners, any property offered for sale under execution issued upon judgments in favor of or for the use of the state, and to enter satisfaction, in whole or in part, of such judgments as the consideration for such purchases.

(9) Whenever the property of a judgment debtor in any judgment mentioned in the preceding subdivision has been sold under a prior judgment, or is subject to any judgment, lien, or encumbrance taking precedence of the judgment in favor of the state, under the direction of the Board of Examiners to redeem such property from such prior judgment, lien, or encumbrance; and all sums of money necessary for such redemption must, upon the order of the Board of Examiners, be paid out of any money appropriated for such purposes.

(10) When in his opinion it is necessary for the collection or enforcement of any judgment hereinbefore mentioned, to institute and prosecute, in behalf of the state, such suits or other proceedings as are necessary to set aside and annul all conveyances fraudulently made by such judgment debtors, the cost necessary to the prosecution must, when allowed by the Board of Examiners, be paid out of any appropriations for the prosecution of delinquents.

(11) To discharge the duties of a member of the Board of Examiners, State Board of Land Commissioners, [State Board of Education,] Board of State Prison Commissioners, and other duties prescribed by law.

(12) To report to the governor, at the time prescribed by Section 59-702 of this code, the condition of the affairs of his department, and to accompany the same with a copy of his docket and of the reports received by him from county attorneys, and to report to the governor as provided in Section 59-705."

Section 14. It is the intent of the legislature that Sections 1 through 11 of this act be codified in Title 75, Chapter 56, R.C.M. 1947.

Section 15. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 16. Sections 75-5601 through 75-5606 and 75-5608, R.C.M. 1947, are repealed.", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 8, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 be amended in Section 1, Subsection (6), page 2, line 18, after the word "residency" by striking the word "[of]" and inserting in lieu thereof the word "or", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 8, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 17, respectfully report as follows: That Senate Joint Resolution No. 17 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 be amended on page 1, Section 1, lines 13 through 18, after the word, number and punctuation "Section 1." by deleting all the material and inserting in lieu thereof the new material "There is a new Section to be added at the beginning of Chapter 7, Title 38, R.C.M. 1947, reading as follows:

"Any reference to the terms 'insane' person, 'incompetent' person, a person with a 'mental disease or defect,' persons 'disordered in mind,' persons 'unable to handle their own affairs,' persons 'feeble minded, moron, imbecile, idiot and mentally deranged,' and all other like references in the Revised Codes of Montana, 1947, mean 'of unsound mind.'"

And, as amended, do pass.

HALL, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 473, respectfully report as follows: That House Bill No. 473 do pass.

HALL, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do not pass.

HALL, Chairman

Schye moved, as a substitute motion, that House Bill No. 368 be printed and placed on Second Reading. Schye requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Marbut, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt. Total 56.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Cotton, Driscoll, Fasbender, Flynn, Greely, Gunderson, Hall, R. Harper, Healy, Hodges, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lynch, Manuel, Mehrens, Murphy, Norman, Quilici, Regan, Roberts, Staigmiller, Stephens, Stoltz, Towe, Warfield, Yardley, Zimmer, Mr. Speaker. Total 38.



Excused: Lombardi. Total 1.

Absent or not voting: Brown, Colberg, Fagg, Menahan, Shelden. Total 5.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Bradley, Colberg, Cox, Fagg, Lundgren, Norman, Ulmer. Total 7.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 19, respectfully report as follows: That House Joint Resolution No. 19 be not adopted.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones,



Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Menahan, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 80.

Noes: Cox, East, Ellerd, Forsgren, Glennen, Holtz, Hubing, Lien, Lockrem. Total 9.

Excused: Lombardi. Total 1.

Absent or not voting: Fagg, Galt, Haines, Kessner, Kvaalen, Lundgren, Schye, Turman, Ulmer, Yardley. Total 10.

February 8, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 523, respectfully report as follows: That House Bill No. 523 be amended on page 1, Section 1, line 13 after the words "applicant for" by deleting the words "[renewal of]".

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 7, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 557, respectfully report as follows: That House Bill No. 557 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

#### MESSAGES FROM THE GOVERNOR

February 8, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 2, 4, 7, 8, 12, 14, 20, 32, 33, 34, 35, 72, and

House Joint Resolution No. 3.

Sincerely,  
THOMAS L. JUDGE  
Governor

#### MESSAGES FROM THE SENATE

February 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution this day were read

three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 177, introduced by Bertsche, Nees, et al

Senate Bill No. 225, introduced by Bertsche and Mathers

Senate Bill No. 270, introduced by Broeder

Senate Bill No. 276, introduced by Goodheart and Keenan

Senate Joint Resolution No. 15, introduced by Mathers, Bertsche and Thiessen.

Sincerely yours,

WALTER H. MARSHALL

Secretary of the Senate

February 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 27, introduced by Ainsworth and Gerke (by request), was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Sincerely yours,

WALTER H. MARSHALL

Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Stephens, having voted on the prevailing side in adopting an adverse committee report on the previous day, moved that the House reconsider its action on House Bill No. 155.

Tierney moved, as a substitute motion, that the motion to reconsider House Bill No. 155 be laid on the table.

Substitute motion failed.

Thereupon the motion to reconsider failed.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 15, introduced by Mathers, Bertsche, Thiessen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to evaluate the need for state coordination of the planning, marketing, and servicing of bond issues in the State of Montana. Referred to Committee on Local Government.

Senate Bill No. 177, introduced by Bertsche, Nees, Himsl, Broeder, Sorensen: A bill for an act entitled: "An act abolishing the Liquor Control Board and transferring its functions to the Department of Revenue and Board of Equalization; and repealing Section 82A-1805, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 225, introduced by Bertsche, Mathers: A bill for an act entitled: "An act to repeal Section 79-813, R.C.M. 1947, relating to the disposal of property acquired from escheated estates; and provide an effective date." Referred to Committee on Judiciary.

Senate Bill No. 270, introduced by Broeder: A bill for an act entitled: "An act amending Section 11-2010, R.C.M. 1947, by clarifying distance requirements for cities, towns or fire districts established in an unincorporated area to contract to furnish or receive fire protection service; and to eliminate the one (1) mile requirement for service to public or private parties." Referred to Committee on Local Government.

Senate Bill No. 276, introduced by Goodheart, Keenan: A bill for an act entitled: "An act to amend Sections 16-4201, 16-4203, 16-4204, 16-4205, 16-4206, 16-4207, 16-4209 and 16-4211, R.C.M. 1947, defining persons qualified to petition for and providing percentage necessary for creating, stopping procedure, or dissolving a mosquito abatement district." Referred to Committee on Local Government.

House Bill No. 571, introduced by Bardanouve, Marbut, Lund, Fasbender: A bill for an act entitled: "An act amending Sections 82A-101 through 82A-112 and 82A-115 through 82A-122, R.C.M. 1947, relating to the general provisions contained in the First Chapter of the Executive Reorganization Act of 1971; and repealing Sections 82A-113, 82A-114 and 82A-123, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 572, introduced by Lucas, Cox, Shelden: A bill for an act entitled: "An act appropriating one hundred sixty thousand dollars (\$160,000) from the general fund for the office of the consumer counsel." Referred to Committee on Finance and Claims.

House Bill No. 573, introduced by Bardanouve, Fasbender, Marbut, Lund: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of State Lands, and providing that this act is effective upon its passage and approval." Referred to Committee on State Administration.

House Bill No. 574, introduced by Bardanouve: A bill for an act entitled: "An act to appropriate moneys for payment of employer's contribution to the Public Employees' Retirement System for the services of members of the Legislative Assembly; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 575, introduced by Bardanouve: A bill for an act entitled: "An act appropriating moneys for certain state agencies or government for the biennium ending June 30, 1973; and providing an effective date." Referred to Committee on Finance and Claims.

House Resolution No. 12, introduced by Zimmer and Marks: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council review, recodify, clarify and suggest improvements to the Montana Codes relating to fire department organization, authority, duties, functions and related activities, reporting their findings and recommendations to the Forty-Fourth Legislative Assembly. Referred to Committee on Local Government.

House Resolution No. 13, introduced by R. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Anaconda Company to retain the Columbia Gardens at its present location and operate it for the people of Butte and Montana. Referred to Committee on Local Government.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 157 failed by the following vote:

Ayes: Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Hager, Haines,



Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Jacobsen, Kimble, Laas, Lee, Marbut, Murphy, Nichols, Norman, Regan, Roberts, Schepens, Selstad, Shelden, Stoltz, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 43.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Campbell, Clemow, Cox, East, Edland, Ellerd, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Schye, Seifert, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn. Total 56.

Paired: Castles, aye; Lombardi, nay.

Excused: None.

Absent or not voting: Huennekens. Total 1.

House Bill No. 196 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Gunderson, Hodges, Holtz, Kessner, Selstad, Turner. Total 7.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens. Total 1.

House Bill No. 253 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Aageson, Burnett, Clemow, East, Galt, Hager, Hubing, Jones, Kolstad, Mercer, Rolfe, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Walborn. Total 18.

Paired: Lombardi, aye; Clemow, nay.

Excused: None.

Absent or not voting: Bell, Castles, Colberg, Ellerd, Huennekens, Lundgren. Total 6.

House Bill No. 314 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett,



Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens. Total 1.

House Bill No. 321 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens. Total 1.

House Bill No. 332 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens, Bardanouve, Clemow, Fagg, Halvorson, Laas, Lockrem, Schye, Turman, Watt. Total 10.

House Bill No. 367 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Asbjornson, Burnett, Hubing, Selstad. Total 4.

Paired: Lombardi, aye; Hubing, nay.

Excused: None.

Absent or not voting: Huennekens, Schye. Total 2.

House Bill No. 370 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Driscoll, Smith. Total 2.

Excused: Lombardi. Total 1.

Absent or not voting: Bardanouve, Huennekens, Schye. Total 3.

House Bill No. 397 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Cox, Hodges, Jones, Lynch, Olson, Quilici, Walborn. Total 8.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens, Kolstad, Schye, Selstad. Total 4.

House Bill No. 403 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren,

Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Clemow, Hodges, Huennekens, McKittrick, Schye. Total 5.

House Bill No. 416 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Jacobsen, Staigmiller. Total 2.

Excused: Lombardi. Total 1.

Absent or not voting: Huennekens, Schye. Total 2.

House Bill No. 422 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Seifert. Total 1.

Excused: Lombardi. Total 1.

Absent or not voting: Brown, Huennekens, Lundgren, Schye. Total 4.

House Joint Resolution No. 32 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney,



Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Lombardi. Total 1.

Absent or not voting: Galt, Huennekens, Menahan, Schye, Selstad. Total 5.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself in to a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

McKittrick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 278 do pass (53-35).

That House Bill No. 281 be amended on page 1, the title, line 11 of the Second Reading Bill, following the word "assembly", by inserting the following punctuation and words: "; and providing a fee for the plates". (80-6)

Amend Section 1, page 1, following line 20, by inserting the following sentence: "The plates will be made available to each member of the House or Senate upon their election through notification from the State Registrar of Motor Vehicles, and if not rejected within two (2) weeks from notification of availability, they shall be sent to the legislative member and a charge of five dollars (\$5) made for same."

Further amend Section 1, page 2, line 19, following the word and punctuation "induced." by inserting the following sentence: "In the lower right-hand corner is to be placed in numerals the session which plate applies to." (70-20).

And, as amended, do pass (52-41).

That House Bill No. 286 do pass (68-16).

That House Bill No. 304 be passed for the day.

That House Bill No. 307 do pass (74-11).

That House Bill No. 315 do pass (84-0).

That House Bill No. 337 be moved to follow House Bill No. 401.

That House Bill No. 350 be amended in Section 9, Subsection (1), page 8, line 13, of the Second Reading Bill and the Introduced Bill after the word and punctuation "fees," by deleting the following words "[guardian ad litem]" and inserting in lieu thereof the following word "attorney". (78-0)

And, as amended, do pass (78-0).

That House Bill No. 366 do pass (66-16).

That House Bill No. 372 be amended in Section 3, page 2, line 18 of the introduced bill after the word "The" by striking the word "[director]" and inserting in lieu thereof the word "commissioner" (78-0).



And, as amended, do pass (44-40).

That House Bill No. 385 be amended in Section 1, page 3, line 17, after the word "instruction;" by inserting the new material "one shall be the commissioner of higher education;" and

Further amend Section 1, page 3, line 19, after the words "and four" by deleting the word "[three]" and inserting in lieu thereof the new material "two". (78-0).

And, as amended, do pass (59-24).

That House Bill No. 393 do pass (77-0).

That House Bill No. 394 do pass (82-0).

That House Bill No. 402 do pass (59-31).

That House Bill No. 431 do pass (60-11).

That House Bill No. 459 do pass (76-0).

That House Bill No. 484 do pass (55-36).

That House Bill No. 534 be amended in Section 2, page 2, line 3 of the printed bill, by adding after the word "charge", the following: "not to exceed \$2.00 per day." and to amend Section 5, page 4, line 22 of the printed bill, by adding after the word "passenger", the following: "Provided, however, no passenger shall pay more than one charge during any 24 hour period, even though they may board several places in different Montana cities during that period. In such cases, only the charge, if any, in effect at the first airport used during said 24 hour period shall govern. No other charge shall be payable at any other arport by that same passenger during the same 24 hour period." (81-2).

And, as amended, do pass (81-2).

That House Joint Resolution No. 20 do pass (64-23).

That Senate Bill No. 67 be concurred in (79-4).

That House Bill No. 83 do pass (79-3).

That House Bill No. 128 be amended in the title on page 1, line 14, following the figures "54-131" by deleting the punctuation and figures "[, 54-132, 54-133]"; (76-0).

And further amend Section 16, Subsection 3, page 21, line 2, by deleting the period following the word "drug" and inserting in lieu thereof the following punctuation, words and underlining: "; (d) officers and employees of the state or a political subdivision of the state, while acting in the course of their official duties."; (76-0).

And further amend Section 29, page 32, line 11, of the bill by deleting the word "[Persons]" and inserting in lieu thereof the following word and underlining: "Practitioners";

And further amend Section 29, page 32, line 12, of the bill following the word "act" by deleting the following punctuation and words "[; or otherwise violate the provisions hereof]". (70-1)

And, as amended, do pass (82-0).

That House Bill No. 276 do not pass (56-34).

That House Bill No. 401 be passed for the day (53-31).

That House Bill No. 337 be passed for the day.

That House Bill No. 419 do pass (77-0).

That House Resolution No. 4 be adopted.

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Gerke, Glennen, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zim-mer. Total 74.

Noes: Burnett, East, Holtz, Hubing, Kessner, Rolfe, Selstad, Ulmer, Walborn. Total 9.

Excused: Lombardi. Total 1.

Absent or not voting: Ainsworth, Brand, Campbell, Clemow, Ellerd, Galt, Greely, Hageman, Lee, Lockrem, Lundgren, Marks, Quilici, Regan, Schye, Turner. Total 16.

That House Resolution No. 6 be amended on page 5, after line 19, at the end of the resolution, by adding the following new material:

"BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Secretary of the United States Senate, the Speaker of the United States House of Representatives, and to all of the Montana Congressional delegation." (62-14)

And, as amended, be adopted (57-20).

That House Resolution No. 9 be adopted (74-7).

That House Joint Resolution No. 9 do pass (73-2).

That House Joint Resolution No. 18 do pass (62-10).

That House Joint Resolution No. 22 do pass (75-0).

That Senate Joint Resolution No. 13 be passed for the day.

That Senate Amendments to House Joint Resolution No. 10 be not concurred in (70-8).

That the Committee rise and report.

McKITTRICK, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

## REPORTS OF STANDING COMMITTEES

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 156, 225, 368, 404, 408, 426, 441, 470, 480, 491.

FLEMING, Vice-Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 95 and 106.

FLEMING, Vice-Chairman

February 8, 1973

I have examined House Bill No. 95 introduced by me and find the same to be correct.

TIERNEY

February 7, 1973

I have examined House Bill No. 106 introduced by me and find the same to be correct.

STEPHENS

The Speaker signed in open session House Bills Nos. 95 and 106 and Senate Bills Nos. 75, 77, 102, 107, 110 and 161.

### MOTIONS AND RESOLUTIONS

Hall moved that the Speaker appoint a Free Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Joint Resolution No. 10.

Motion failed.

Hall moved that the Speaker appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Joint Resolution No. 10.

Motion carried.

Towe moved that House Bills Nos. 337 and 401 be returned to the Committee on Local Government to be held there for consideration until 1974.

As a substitute motion, Hall moved that the motion be laid on the table until the next legislative day.

Motion carried.

The Speaker appointed the following Conference Committee to confer with a like Committee from the Senate on House Amendments to Senate Bill No. 17: Hall, chairman; Kosena, Lucas.

The Speaker appointed the following Free Conference Committee to confer with a like committee from the Senate on Senate Bill No. 16: Laas, chairman; Halvorson, East.

Fasbender moved that the House Adjourn until 1:30 p.m. February 9, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### THIRTY-FIFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 9, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Lombardi, Nichols and Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 34th Legislative Day, find the same to be correct.

QUILICI, Chairman

February 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 125, 278, 286, 307, 315, 366, 394 and 431.

FLEMING, Vice-Chairman

February 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 167, 417, 436, 465, 478, 496, 540 and 552, and House Joint Resolution No. 31.

FLEMING, Vice-Chairman

February 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 26.

FLEMING, Vice-Chairman

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 31.

FLEMING, Vice-Chairman

February 8, 1973

I have examined House Bill No. 31 introduced by me and find the same to be correct.

LUCAS

The Speaker signed in open session House Bill No. 31, and Senate Bills Nos. 14, 74, 148, 167, 170.

February 7, 1973

Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 be amended on page 1, line 4, after the figures "54-113" by deleting the material "[54-138]", and

Be further amended on page 1, line 4, after the figures "54-129" by deleting the punctuation "[,]" and inserting in lieu thereof the word "and", and

Be further amended on page 1, line 7, title, after the figures "54-133" by deleting the word and figures "[and 54-138,]" and

Be further amended on page 1, line 7, title, after the figures "54-129" by deleting the punctuation "[,]" and inserting in lieu thereof the word "and", and

Be further amended on page 2, Section 1, Subsection (e), lines 7 and 8 after the word "include:" by deleting the word "[Lysergic]" and inserting in lieu thereof the new material "Hashish, lysergic", and



Be further amended on page 2, Section 1, Subsection (e), line 11 after the word "drugs" by deleting the punctuation "[,]" and inserting in lieu thereof the new material "excluding marijuana which is specifically provided for hereafter.", and

Be further amended on page 5, Section 3, lines 1 through 5 by deleting Section 3 in its entirety, and

Be further amended on page 5, Section 4, line 6, after the word "Section" by deleting the parenthesis and number "[ (4) ]" and inserting in lieu thereof the new material "(3)", and

Be further amended on page 5, line 8, after the word "marijuana" by deleting the words "[or any product, derivative, compound or preparation thereof.]", and

Be further amended on page 5, Subsection (2), line 11, after the word "marijuana" by deleting the words "[or its derivatives]", and

Be further amended on page 5, Section 5, line 13, after the word "Section" by deleting the parenthesis and number "[ (5) ]" and inserting in lieu thereof the new material "(4)", and

Be further amended on page 5, lines 14 and 15, after the word "marijuana" by deleting the words "[or any of its derivatives or any product, compound or preparation]", and

Be further amended on page 5, Subsection (2), lines 18 and 19, after the word "marijuana" by deleting the words "[or five (5) grams of Hashish]", and

Be further amended on page 5, line 24, after the words "excess of" by deleting the words and figures "[sixty (60)]" and inserting in lieu thereof "thirty (30)", and

Be further amended on page 5, line 24, after the word "marijuana" by deleting the words "[or one (1) gram of hashish]".

And, as amended, do pass.

HALL, Chairman  
LUCAS  
BELL  
WARFIELD  
McKITTRICK  
BROWN  
YARDLEY

(Material in brackets denotes cancelled type.)

February 7, 1973

Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 be amended on page 1, line 4, after the figures "54-113" by deleting the material "[, 54-138,]", and

Be further amended on page 1, line 4, after the figures "54-129" by deleting the punctuation "[,]" and inserting in lieu thereof the word "and", and

Be further amended on page 1, line 7, title, after the figures "54-133" by deleting the word and figures "[and 54-138]", and

Be further amended on page 1, line 7, title, after the figures "54-129" by deleting the punctuation "[,]" and inserting in lieu thereof the word "and", and

Be further amended on page 2, Section 1, Subsection (e), lines 7 and 8, after the word "include:" by deleting the word "[Lysergic]" and inserting in lieu thereof the material "Hashish, lysergic", and

Be further amended on page 2, Section 1, Subsection (e), line 11, after the word "drugs" by deleting the punctuation "[,]" and inserting in lieu thereof the new material "excluding marijuana which is specifically provided for hereafter.", and

Be further amended on page 5, Section 3, lines 1 through 5 by deleting Section 3 in its entirety, and

Be further amended on page 5, Section 4, line 6, after the word "Section" by deleting the parenthesis and number "[ (4) ]" and inserting in lieu thereof the new material "(3)", and

Be further amended on page 5, line 8 after the word "marijuana" by deleting the words "[or any product, derivative, compound or preparation thereof.]", and

Be further amended on page 5, Subsection (2), line 11, after the word "marijuana" by deleting the words "[or its derivatives]", and

Be further amended on page 5, Section 5, line 13, after the word "Section" by deleting the parenthesis and number "[ (5) ]" and inserting in lieu thereof the new material "(4)", and

Be further amended on page 5, lines 14 and 15, after the word "marijuana" by deleting the words "[or any of its derivatives or any product, compound or preparation]", and

Be further amended on page 5, Subsection (2), lines 18 and 19, after the word "marijuana" by deleting the words "[or five (5) grams of hashish]", and

Be further amended on page 5, line 24, after the words "excess of" by deleting the word and figures "[sixty (60)]" and inserting in lieu thereof "thirty (30)", and

Be further amended on page 5, line 24, after the word "marijuana" by deleting the words "[or one (1) gram of hashish]".

And, as amended, do pass.

GREELY, Chairman  
MARBUT  
ROBERTS  
BAETH  
BAUCUS  
TOWE

(Material in brackets denotes cancelled type.)

Hall moved the adoption of the Majority Committee Report.

Greely moved, as a substitute motion, that the Minority Committee report be adopted. Turman requested a roll call vote with the ayes and nays spread on the Journal.

The substitute motion failed by the following vote:

Ayes: Baeth, Baucus, Bennetts, Bradley, Colberg, Edland, Fasbender, Fleming, Greely, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Kimble, Huennekens, Laas, Norman, Roberts, Shelden, Stoltz, Towe, Turman, Watt.  
Total 24.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 69.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bardanoue, Brown, Driscoll, Zimmer. Total 4.

Thereupon, the Majority Committee Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Baeth, Baucus, Bennetts, Bradley, Colberg, Fasbender, Fleming, Greely, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Norman, Roberts, Shelden, Towe, Turman, Watt. Total 20.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bardanoue, Brown, Driscoll, Zimmer. Total 4.

February 8, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 570, respectfully report as follows: That House Bill No. 570 do not pass.

HALL, Chairman

Ellerd moved, as a substitute motion, that House Bill No. 570 be printed and placed on Second Reading.

Kvaalen moved, as a substitute motion, that House Bill No. 570 be referred to Committee on Judiciary.

Lucas moved, as a substitute motion for all motions pending, that House Bill No. 570 be referred to Committee on Constitution, Elections and Federal Relations.

Motion failed.

The substitute motion by Kvaalen failed.

Ellerd requested a roll call on his substitute motion, with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Asbjornson, Bell, Burnett, Campbell, Clemow, Cox, East, Ellerd, Forsgren, Galt, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Schye, Rolfe, Seifert, Selstad, Smith, Turner, Ulmer. Total 33.

Noes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 62.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Walborn, Zimmer. Total 2.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Asbjornson, Bell, Burnett, Campell, Castles, Clemow, East, Ellerd, Galt, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lundgren, Marks, Mercer, Rolfe, Seifert, Selstad, Smith, Turner, Ulmer. Total 27.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Lucas, Schye, Walborn, Zimmer. Total 4.

February 9, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do pass.

WATT, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 488, respectfully report as follows: That House Bill No. 488 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 345, respectfully



report as follows: That House Bill No. 345 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do pass.

McKITTRICK, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 be amended as follows:

Amend on page 1, Section 1, lines 20 and 21, by striking the words and figures "[seven hundred fifty dollars (\$750)]" and inserting in lieu thereof the words and figures "six hundred dollars (\$600)" and,

Further amend on page 1, Section 1, line 25, by striking the words "[seven hundred fifty]" and inserting in lieu thereof the words "six hundred" and,

Further amend on page 2, Section 1, line 1 by striking the figure "[\$750]" and inserting in lieu thereof the figure "(\$600)" and,

Further amend on page 2, Section 1, lines 7 and 8, by striking the words and figures "[seven hundred dollars (\$700)]" and inserting in lieu thereof the words and figure "six hundred dollars (\$600)" and,

Further amend on page 2, line 10, Section 1, by striking the words and figure "[seven hundred dollars (\$700)]" and inserting in lieu thereof the words and figure "six hundred dollars (\$600)" and,

Further amend on page 2, Section 1, line 13, by striking the words and figure "[seven hundred dollars (\$700)]" and inserting in lieu thereof the words and figure "six hundred dollars (\$600)".

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do pass.

KOSENSA, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

KOSENSA, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kessner, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Warfield, Mr. Speaker. Total 75.

Noes: Cotton, Huennekens. Total 2.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bennetts, Brown, Colberg, Edland, Ellerd, Flynn, Holmes, Jacobsen, Kendall, Lundgren, Marks, Norman, Roberts, Towe, Turman, Walborn, Watt, Yardley, Zimmer. Total 20.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

KOSENSA, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had

under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do pass.

KOSENSA, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 do pass.

KOSENSA, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 be amended on page 1, line 5, by inserting a "period (.)" after the word "provisions" and striking the remainder of material in the title, and,

Further amend on page 1, Section 1, line 24, by striking the words after "subject to" and inserting in lieu thereof "mandamus action by the court." and,

Further amend by striking all material in the remainder of the bill after page 1, line 25, ending the bill with the word "court".

And, as amended, do pass.

KOSENSA, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Joint Resolution No. 14, respectfully report as follows: That House Joint Resolution No. 14 be amended as follows:

Amend on page 1, of the title, line 6, by striking the following words "[in consultation with the Montana League of Cities and Towns]" and,

Further amend on page 2, line 3 by striking the words "[in consultation with the Montana league of cities and towns]" and,

Further amend on page 2, line 13 by placing a period "(.)" after the word "assembly" and,

Further amend by striking all material after the word "assembly" to the end of the bill starting with line 13.

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

KOSENSA, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 be amended on page 1, line 13 of the title, by inserting “; and providing an effective date”, and

Be further amended on page 9, line 2, by adding a new Section 2 which reads as follows: “Section 2. This act is effective on its passage and approval.”, and

As amended, do pass.

LAAS, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 do pass.

LAAS, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do pass.

LAAS, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do not pass.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Mercer, Murphy, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Warfield, Mr. Speaker. Total 74.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Baucus, Bell, Brown, Driscoll, Ellerd, Galt, Hager, Hodges, Holmes, Kosena, Lockrem, Lundgren, Marks, Menahan, Norman, Olson, Selstad, Towe, Turman, Walborn, Watt, Yardley, Zimmer. Total 23.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation.



having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 do pass.

LAAS, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 486, respectfully report as follows: That House Bill No. 486 do pass.

LAAS, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 be amended in section 1 on page 1, line 15, after the word "section" by striking the code "[90-2603]" and inserting in lieu thereof the code "93-2603", and

Be further amended in section 1 on page 1, line 17, after the word "section" by striking the code "[90-2603]", and inserting in lieu thereof the code "93-2603", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 be amended in section 2, subsection (2), page 2, line 14, after the (2), by striking the following material: "[excepting payments under employee contracts]", and

Be further amended in section 2, subsection (2), page 2, line 18, after the word "obligations", by striking the following material: "[and payments under employee contracts]", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 be amended in the title on page 1, line 4, after the

word "act" by striking the following material: "[providing that all educators who secure contracts to teach on Indian reservations in Montana be required to take at least six (6) hours (six (6) college credits) in Indian culture courses]", and inserting in lieu thereof the following material: "requiring American Indian studies to be part of the educational background of public school teaching personnel employed on or adjacent to Indian reservations and encouraging American Indian studies as part of the educational background of all school personnel employed in the state", and

Be further amended in section 1 on page 1, line 11, after the "Section 1.", through and including line 24 on page 1, by striking the material contained therein in its entirety and inserting in lieu thereof the following material: "It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of the American Indians and to be committed in its educational goals to the preservation of their cultural heritage. It is the intent of this act, predicated on the belief that school personnel should relate effectively with Indian students and parents, to provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

Section 2. (1) As used in the act, "American Indian studies" means instruction pertaining to the history, traditions, customs, values, beliefs, ethics and contemporary affairs of American Indians, particularly Indian tribal groups in Montana.

(2) As used in this act, "instruction" means

(a) a formal course of study offered by a unit of higher education developed with the advice and assistance of Indian people;

(b) in-service training developed by the superintendent of public instruction in cooperation with educators of Indian descent and made available to school districts, or

(c) in-service training provided by a local board of trustees, which is developed and conducted in cooperation with local Indian people.

Section 3. (1) By July 1, 1979, all boards of trustees for public school districts on or adjacent to Indian reservations shall employ only those certified personnel who have satisfied the requirements for instruction in American Indian studies as defined in section 2 of this act.

(2) Members of boards of trustees and all non-certified personnel in public school districts on or adjacent to Indian reservations are encouraged to satisfy the requirement for instruction in American Indian studies as defined in Section 2 of this act.

Section 4. Boards of trustees for all public school districts other than those defined in section 3 above and governing authorities for all non-public schools in Montana are encouraged to comply with the provisions and intent of this act.", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 25, respectfully report as follows: That House Joint Resolution No. 25 do not pass.

GUNDERSON, Chairman

Tierney moved, as a substitute motion, that House Joint Resolution

No. 25 be printed and placed on Second Reading. Tierney requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Bardanoue, Baucus, Bennetts, Bradley, Brown, Colberg, Edland, Flynn, Greely, Hageman, Halvorson, H. Harper, R. Harper, Hodges, Holtz, Huennekens, Jones, Laas, Lucas, McKittrick, Menahan, Murphy, Norman, Olson, Roberts, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Watt. Total 36.

Noes: Baeth, Barrett, Bell, Brand, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Forsgren, Glennen, Hall, Healy, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lund, Lynch, Manuel, Marks, Mehrens, Mercer, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Stephens, Yardley, Mr. Speaker. Total 43.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Asbjornson, Clemow, Ellerd, Fleming, Galt, Gunderson, Hager, Haines, Kimble, Kosena, Lundgren, Schye, Smith, Turman, Walborn, Warfield, Zimmer. Total 18.

Thereupon, the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Barrett, Bell, Brand, Burnett, Campbell, Castles, Cox, East, Fagg, Fasbender, Forsgren, Glennen, Gunderson, Hageman, Haines, Hall, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kvaalen, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Towe, Warfield, Yardley, Mr. Speaker. Total 52.

Noes: Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Flynn, Greely, Halvorson, H. Harper, R. Harper, Jones, Lucas, Menahan, Murphy, Roberts, Tierney, Seifert, Turner, Ulmer, Watt. Total 22.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Asbjornson, Baeth, Bardanoue, Clemow, Edland, Ellerd, Fleming, Galt, Hager, Holmes, Kimble, Kosena, Laas, Lockrem, Lundgren, Norman, Schye, Shelden, Stephens, Turman, Walborn, Zimmer. Total 23.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 30, respectfully report as follows: That House Joint Resolution No. 30 do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

GUNDERSON, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill 412 be held over until the Second

Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 543, respectfully report as follows: That House Bill No. 543 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 be amended on page 2, line 10 through and including line 17 by striking the existing section 2 in its entirety, and

Further amend on page 2, line 18 by renumbering the existing section 3 to conform numerically, and

As amended, do pass.

LEE, Chairman

Report adopted.



February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do pass.

LEE, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 28, respectfully report as follows: That House Joint Resolution No. 28 do not pass.

LEE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lucas, Lund, McKittrick, Lynch, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stoltz, Swanberg, Towe, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Cox, Mercer, Tierney, Ulmer. Total 4.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Bell, Bennetts, Brown, Colberg, Edland, Ellerd, Fagg, Galt, H. Harper, Johnston, Kolstad, Laas, Lockrem, Lundgren, Norman, Schye, Shelden, Stephens, Turman, Warfield, Zimmer. Total 23.

February 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 541, respectfully report as follows: That House Bill No. 541 do not pass.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Hall, Halvorson, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Tierney. Total 1.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Bell, Brown, Clemow, East, Edland, Ellerd, Galt, Gunderson, Hageman, Haines, H. Harper, Hodges, Holmes, Kosena, Lockrem, Lynch, Marks, Schye, Shelden, Staigmilller, Stephens, Turman, Zimmer. Total 25.

February 8, 1973

Mr. Speaker: We, your Committee on State Administration, having

had under consideration House Bill No. 487, respectfully report as follows: That House Bill No. 487 do not pass.

BRAND, Chairman

Greely moved, as a substitute motion, that House Bill No. 487 be printed and placed on Second Reading. Greely requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Brown, Campbell, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huenekens, Jacobsen, Kendall, Kimble, Kolstad, Kosenka, Laas, Lund, McKitt-rick, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Watt. Total 51.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Castles, Clemow, Cox, Ellerd, Flynn, Galt, Glennen, Haines, Hall, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kvaalen, Lee, Lien, Lockrem, Lucas, Lundgren, Lynch, Mercer, Quilici, Seifert, Selstad, Smith, Swanberg, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 39.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Bennetts, Fasbender, Marks, Regan, Stephens, Zimmer. Total 7.

February 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be concurred in.

BRAND, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 174, respectfully report as follows: That Senate Bill No. 174 be concurred in.

BRAND, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 be amended on page 1, section 1, line 15, after the word "commission" by striking the following material: "[to be determined by the director of revenue.]" and inserting in lieu thereof the following material: "based on a percentage of annual gross sales. For annual gross sales not exceeding fifty thousand dollars (\$50,000), the commission shall not exceed ten per cent (10%) of gross sales; for annual gross sales of fifty thousand dollars (\$50,000) or more, but less than one hundred thousand dollars (\$100,000), the commission shall not exceed ten per cent (10%) of the first fifty thousand dollars (\$50,000) of gross sales plus six per cent (6%) of the gross sales in excess of fifty thousand dollars (\$50,000); for annual gross sales of one hundred thousand dollars (\$100,000) or more, but less than one hundred forty thousand dollars (\$140,000), the commission shall not exceed ten percent (10%) of the first fifty thousand dollars (\$50,000) plus six percent (6%) of the next fifty thousand dollars (\$50,000) plus four per cent (4%) of the excess over one hundred thousand dollars (\$100,000).",

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 be amended on page 1, in the title, on line 5, after the word "Montana" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 1, section 1, line 11, before the word "Act" by striking the words "[Citizens' Advocate]" and inserting in lieu thereof the word "Ombudsman", and

Further amend on page 2, section 3, line 4, after the word "of" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 2, section 4, line 7, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 2, section 4, line 8, after the word "composed" by striking the words "[of the leaders]", and

Further amend on page 2, section 4, line 8, after the word "majority" by inserting the word "leader", and

Further amend on page 2, section 4, line 9, after the word "minority" by striking the word "[parties]" and inserting in lieu thereof the word "leader", and

Further amend on page 2, section 5, line 16 after the word "The" by striking the words "[citizens' advocate]", and inserting in lieu thereof the word "ombudsman", and

Further amend on page 2, section 5, subsection (3), line 22, after the word "as" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 2, section 5, subsection (4), line 24, after the word "as" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 6, line 1, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 7, line 6, after the word "of" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 7, line 7, after the word "assistant" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 7, line 8, after the word "acting" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 7, line 9, before the word "is" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 8, line 10, after the word "The" by



striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 9, line 12, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 9, line 17, after the word "assistant" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 9, line 17, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 3, section 10, line 23, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 5, section 11, line 5, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 5, section 11, line 18, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 5, section 12, line 21, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman" and

Further amend on page 6, section 13, line 13, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 6, section 13, line 16, before the word "declining" by striking the words "[citizens' advocate's]" and inserting in lieu thereof the word "ombudsmans", and

Further amend on page 6, section 13, line 20, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 6, section 14, line 24, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 7, section 15, line 1, after the word "The" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 7, section 16, subsection (1), line 7, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 7, section 16, subsection (1) (e), line 17, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 7, section 16, subsection (2), line 21, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 17, line 1, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and



Further amend on page 8, section 17, line 8, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 18, line 10, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 18, line 14, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 19, line 19, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 20, line 24, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 8, section 20, line 25, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, section 21, line 6, before the period "." by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, section 21, line 6, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, section 21, line 8, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, section 22, line 10, after the words "of the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, section 22, line 12, after the word "the" by striking the words "[citizens' advocate]" and inserting in lieu thereof the word "ombudsman", and

Further amend on page 9, after line 18, by adding a new section to read as follows: "Section 23. The office of ombudsman shall be assigned to the legislative council for administrative purposes only.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do pass.

MEHRENS, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do pass.

MEHRENS, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 166, respectfully report as follows: That Senate Bill No. 166 be concurred in.

MEHRENS, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bennetts, Bradley, Brand, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Flynn, Glennen, H. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Smith, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 64.

Noes: R. Harper. Total 1.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Baeth, Baucus, Bell, Brown, Castles, Colberg, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Hubing, Huennekens, Jones, Lien, Lockrem, Schye, Selstad, Shelden, Staigmiller, Stephens, Turman, Zimmer. Total 32.

February 9, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 538, respectfully report as follows: That House Bill No. 538 be amended as follows:

Amend on page 1, in the title, line 8 after the word "primary" strike the "[.]" and insert in lieu thereof the following "; and providing an effective date." and,

Further amend on page 2, section 1, line 5 and 6 by striking the "[or]" on line 5 and inserting the following language after the words "Republican Party" ", Other designated Party of Independent." and,

Further amend on page 2, section 1, line 21 after the word "elections." by adding the following language, "and on the precinct register." and,

Further amend on page 4, line 3 after the last sentence by adding two new sentences to read as follows: "However, if there is no ballot for the party which the elector has designated under section 23-3006, the elector may vote of his choosing from among those available. The election judges shall keep a record of the elector's choice of ballot."

Further amend by adding a new "Section 3" at the end of the bill to read as follows:

"Section 3. This act shall be effective July 1, 1973, provided that as to persons voting by absentee ballot in the primary in 1974 they shall be permitted to vote in accordance with the law as it existed prior to the effective date of this act, but shall also be given, at the time they receive the absentee ballot the party designation card which they shall return at the time they return their completed ballot."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 be amended on page 1, line 8 by striking the words and figures "[thirty (30) days]" and inserting in lieu thereof "twenty (20) days" and,

Further amend on page 1, line 18 by striking the word and figure "[thirty (30)]" and inserting in lieu thereof the words and figures "twenty (20)" days and,

Further amend on page 2, line 18 by striking the word and figure "[thirty (30)]" and inserting in lieu thereof "twenty (20) days" and,

Further amend on page 2, line 22 by striking the word and figure "[thirty (30)]" and inserting in lieu thereof "Twenty (20)" and,

Further amend on page 3, line 23 by striking the word and figure "[thirty (30)]" and inserting in lieu thereof "twenty (20)" and,

Further amend on page 4, line 13 by striking the word and figure "[thirty (30)]" and inserting in lieu thereof "twenty (20)" and,

As amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 537, respectfully report as follows: That House Bill No. 537 do not pass.

GREELY, Vice-Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Ben-  
netts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton,  
Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely,  
Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper,  
Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall,  
Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lucas, Lund,  
Lundgren, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy,  
Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert,  
Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn,  
Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Baeth, Bardanouve, Colberg, Edland, Ellerd, Fagg, Galt, Hall, Huennekens, Lee, Lien, Manuel, Norman, Selstad, Shelden, Staigmiller, Stephens, Zimmer. Total 18.

February 9, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 be amended as follows:

Amend on line 6 of the title thereof, by adding, following the word "county" the words "and providing for salaries of the employees of the consolidated offices thereof", and

Further amend on page 1, line 11, by deleting the words "[legislative body]" and inserting in lieu thereof the words "county commissioners", and

Further amend on page 1, line 12, by adding after the word "established" the following words "in counties other than first and second class counties," and

Further amend on page 1, line 14, by deleting the words "[law enforcement]" and inserting in lieu thereof the word "safety", and

Further amend on page 1, line 15 by deleting the words "[and control]" and

Further amend on page 1, line 17, before the words "The director" by indenting and adding the words "Section 2.", thereby creating a new paragraph, and

Further amend on page 1, line 18 by placing a comma ",", after the word "elected". and

Further amend on page 1, line 19 by striking the period "[.]" and inserting the following language "in the event of municipal county government.", and

Further amend on page 1, line 20 by inserting before the word "Officer" the words "Section 3.", and

Further amend on page 2, line 3, following the word "officers," by indenting and adding the following words, thereby creating a new section: "Section 4. The provisions of section 25-605, R.C.M. 1947 notwithstanding, the salaries of the director and employees of the department of public law enforcement shall be established by the commission and shall be paid by the city or town with the county commissioners of the county. Said salaries in any event shall not be less than that specified in section 25-605, R.C.M. 1947."

Further amend on page 2, line 4, by adding before the word "For" the words "Section 5.", and

Further amend on page 2, line 10, following the word "sheriff." by indenting and adding the following words, thereby creating a new section: "Section 6. The provisions of this act are severable, and if any part or provision thereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.";

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

KOSEN, Chairman

Report adopted.



## MESSAGES FROM THE OTHER HOUSE

February 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution were read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 209, introduced by James

Senate Bill No. 211, introduced by James

Senate Bill No. 365, introduced by Committee on Highways and Transportation

Senate Bill No. 408, introduced by McDonald and McNamer

Senate Joint Resolution No. 24, introduced by Darrow, Lynch, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Greely moved that House Bill No. 402 be taken from engrossing and be placed on Second Reading.

Motion carried.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 93 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Holtz, Lundgren. Total 3.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Baeth, Colberg, Flynn, Haines, Hubing, Huenekens, Jacobsen, Kimble, Lien, Zimmer. Total 10.

Turner moved that House Bill No. 96 be removed from Third Reading and be rereferred to Committee on Taxation.

Motion failed.

House Bill No. 96 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Ben-

netts, Bradley, Brand, Burnett, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Brown, Campbell, Castles, Cox, Ellerd, Hager, Haines, H. Harper, Holtz, Jones, Kessner, Kvaalen, Lockrem, Lundgren, Olson, Rolfe, Selstad, Smith, Turman, Turner, Ulmer, Walborn. Total 22.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bardanouve, Bell, Colberg, Hall, Huennekens, Shelden, Zimmer. Total 7.

House Bill No. 136 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Burnett, Campbell, Clemow, Cox, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Holtz, Jones, Olson, Rolfe, Seifert, Selstad, Smith, Staigmiller, Tierney, Turner, Walborn. Total 21.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bardanouve, Huennekens, Marks, Zimmer. Total 4.

House Bill No. 145 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bell, Burnett, Clemow, East, Galt, Haines, Holtz, Hubing, Jones, Olson, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 16.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Ellerd, Hall, Huennekens, Murphy, Norman, Zimmer. Total 7.

House Bill No. 148 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing,

Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Hall. Total 1.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bardanouve, Ellerd, R. Harper, Huennekens, Zimmer. Total 5.

House Bill No. 171 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Brown, Kvaalen, Lockrem, Olson, Prevost, Regan, Tierney, Turner, Ulmer. Total 10.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Zimmer. Total 2.

House Bill No. 197 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Johnston, Smith, Walborn, Zimmer. Total 5.

House Bill No. 204 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lund-



gren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Galt, Huennekens, Norman, Zimmer. Total 4.

House Bill No. 209 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Fleming, Hall, Huennekens, Watt, Zimmer. Total 5.

House Bill No. 237 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Walborn, Watt, Mr. Speaker. Total 63.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, Ellerd, Galt, Glennen, Haines, Hubing, Jones, Kessner, Kolstad, Lockrem, Lucas, Mercer, Olson, Rolfe, Schye, Selstad, Swanberg, Tierney, Turner, Ulmer, Warfield, Yardley. Total 31.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Lundgren, Zimmer. Total 3.

House Bill No. 244 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.



Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Zimmer. Total 2.

House Bill No. 245 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Holtz, Selstad. Total 2.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Kendall, Huennekens, Zimmer. Total 3.

House Bill No. 250 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lund, Lundgren, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Bell, Brand, Forsgren, Healy, Johnston, Lee, Lucas, Lynch, McKittrick, Mehrens, Olson, Quilici, Rolfe, Swanberg. Total 15.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Zimmer. Total 2.

House Bill No. 251 was passed by the following vote:

Ayes: Aageson, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lucas, Lund, Lundgren, McKittrick, Marks, Mercer, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Asbjornson, Barrett, Brand, Burnett, Clemow, East, Hager, Healy, Hubing, Jacobsen, Kessner, Lee, Lien, Lynch, Manuel, Mehrens, Menahan, Quilici, Seifert, Selstad, Smith, Walborn. Total 22.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Galt, Huennekens, Norman, Zimmer. Total 6.

House Bill No. 252 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Kvaalen, Stephens. Total 3.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Colberg, Galt, Huennekens, Mehrens, Norman, Smith, Zimmer. Total 7.

House Bill No. 268 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Johnston, Kendall, Kimble, Kosen, Kvaalen, Laas, Lee, Lucas, Lundgren, Lynch, McKitt-trick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Barrett, Burnett, Campbell, Clemow, East, Ellerd, Fagg, Forsgren, Galt, Hager, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Lien, Lockrem, Lund, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Staigmiller, Towe, Turner, Walborn. Total 30.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Ainsworth, Colberg, Huennekens, Zimmer. Total 4.

House Bill No. 272 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Johnston, Kendall, Kimble, Kosen, Kvaalen, Laas, Lee, Lockrem, Lucas, Lynch, McKitt-trick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Asbjornson, Brand, Burnett, Clemow, East, Edland, Hubing, Jacobsen, Jones, Kessner, Kolstad, Lien, Lund, Lundgren, Seifert, Selstad, Smith. Total 17.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Zimmer. Total 2.

House Bill No. 346 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager,

Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Asbjornson, Hubing, Olson. Total 3.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: East, Huennekens, Zimmer. Total 3.

House Bill No. 392 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Olson, Warfield. Total 2.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Colberg, Huennekens, Zimmer. Total 3.

House Bill No. 420 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Huennekens, Lockrem, Norman, Turner, Zimmer. Total 5.

### THIRD READING OF SENATE BILLS

Senate Bill No. 67 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz,



Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 85.

Noes: East, Kessner, Lockrem, Marks, Warfield, Yardley. Total 6.

Excused: Lombardi, Marbut, Nichols. Total 3.

Absent or not voting: Bradley, Cox, Fagg, Huennekens, Schye, Zimmer. Total 6.

## REPORTS OF STANDING COMMITTEES

February 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 be amended on page 2, Section 1, line 24, after the word "person" by inserting the words "now or formerly", and

And, as amended, do pass.

McKITTRICK, Chairman

Report adopted.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Joint Resolution No. 24, introduced by Darrow, Lynch, Turnage, Bertsche, McGowan, McKeon, Cochrane, Bollinger, McCallum, Thiessen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Environmental Quality Council to undertake a study, make recommendations and propose legislation concerning the development and implementation of a state energy policy as it relates to a developing national energy policy and requesting the Governor to direct the Coal Task Force to work with and advise the Environmental Quality Council. Referred to Committee on Natural Resources.

Senate Bill No. 209, introduced by James: A bill for an act entitled: "An act amending Section 69-2203, R.C.M. 1947, providing immunity of long-term care facilities when furnishing blood product transfusion services." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 211, introduced by James: "An act amending Section 60-144, R.C.M. 1947, to require drillers to furnish cores and cuttings for core holes and tests less than one thousand (1,000) feet in depth." Referred to Committee on Natural Resources.

Senate Bill No. 365, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 32-2610, R.C.M. 1947, to allow the Department of Highways to increase the expenditures made in any financial district to the extent of twenty-five percent (25%) more than the amount of money allocated to such district." Referred to Committee on Highways and Transportation.

Senate Bill No. 408, introduced by McDonald, McNamer: A bill for an act entitled: "An act amending Sections 10-901, 10-902, and 10-903, R.C.M. 1947, changing the declaration of policy in regard to reporting of cases of child neglect or abuse by providing that the reports are made to the Department of Social and Rehabilitation Services or its local affiliate rather than to the county attorney; expanding the persons required to



report; changing the definition by including with physical abuse, sexual and psychological abuse." Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 14, introduced by Hager, Cotton, Bardanoue, Laas: A Resolution of the House of Representatives of the State of Montana requesting that the boards of county commissioners of Montana's several counties make all possible efforts to post dangerous curves on the county roads of the State. Referred to Committee on Highways and Transportation.

House Bill No. 576, introduced by Bardanoue, Fasbender: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article IX, Section 2, of the Constitution of Montana establishing a resource indemnity trust in the State which shall be forever inviolate and guaranteed by the State against loss or diversion." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 577, introduced by Fasbender: A bill for an act entitled: "An act authorizing a collection service in the Montana Department of Revenue for the purpose of centralizing the collection of all debts owing to the State of Montana." Referred to Committee on State Administration.

House Bill No. 578, introduced by Gunderson, Fasbender: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars (\$150,000) from the general fund and appropriating all federal funds received for the purposes of this act from the federal and private revenue fund to the commission created by this act for the biennium ending June 30, 1975, for conducting a comprehensive study of the planning for post-secondary education in Montana; and establishing a commission on post-secondary education." Referred to Committee on Finance and Claims.

#### MOTIONS AND RESOLUTIONS

Gunderson, having voted on the prevailing side in failing to pass House Bill No. 157 on Third Reading on previous legislative day, moved that the House reconsider its action.

Lucas moved the previous question.

Motion carried.

Thereupon, the original motion failed.

Selstad moved that House Bills Nos. 337 and 401 be taken from Second Reading and be rereferred to Committee on Local Government.

Motion carried.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lundgren in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 121, be amended in the title, line 9, of the Second Reading and Introduced Bill, after "rates" by inserting, "; and providing an effective date", (68-4)

And further amend on page 1, Section 1, line 18, after "used" by re-inserting the stricken material "and useful", and

Further amend on page 1, Section 1, line 21, after "depreciation" by striking "[which is to be determined as nearly as possible from the depreciation schedule in the corporate license tax return filed by the public utility as required by title 84, Chapter 15]", and

Further amend on page 2, Section 1, line 3, after "state" by striking the words "[and federal]", and

Further amend on page 2, Section 1, line 4, after "obtainable" by re-inserting the material, ", and the commission may at any time of its own initiative make a revaluation of such property.", and

Further amend on page 2, after line 5, by adding a new Section to read, "Section 2. This act shall become effective on January 1, 1974." (78-4)

And, as amended, do pass. (56-37)

That House Bill No. 122 be amended on page 3, Section 1, Subsection 3, line 1, of the second reading and introduced bill, after "determined" by adding "Provided, however, that if other property in this State is placed on the assessment roles at a percent of the full cash value, a percent may be applied to the aforesaid value of utility property to equalize the assessment." (68-19)

And, as amended, do pass (58-38)

That House Bill No. 156 do pass (58-26)

That House Bill No. 214 do pass. (59-35)

That House Bill No. 220 be amended in Section 1, page 2, line 7, after the words "twenty five" by inserting the word "dollars",

And, as amended, do pass (88-1)

That House Bill No. 225 do pass (70-8)

That House Bill No. 304 be amended on page 1, Section 1, line 18, of the second reading bill, following the word "Montana" delete the word "[to]" and insert in lieu thereof the word "shall",

And, as amended, do pass (53-20)

That House Bill No. 333 do pass. (53-13)

That House Bill No. 368 be passed for the day.

That House Bill No. 373 do pass. (53-9)

That House Bill No. 404 do pass. (59-2)

That House Bill No. 446 do pass. (51-5)

That House Bill No. 408 do pass. (58-1)

That House Bill No. 426 do pass. (57-1)

That House Bill No. 441 be passed to the bottom of the board.

That House Bill No. 470 be passed until Monday next.

That House Bill No. 477 do pass. (33-25)

That House Bill No. 480 do pass. (50-5)

That House Bill No. 491 do pass. (51-7)

That House Bill No. 504 do pass. (61-1)

That House Joint Resolution No. 27 do pass. (49-9)

That Senate Joint Resolution No. 13 be concurred in. (53-6)

That Senate Joint Resolutions Nos. 17 and 22 be passed for the 41st legislative day.

That House Bill No. 441 be amended on page 2, Section 1, Subsection (a), line 1, before the word "utility" by deleting the word "[electrical]", and

Further amend on page 2, Section 1, Subsection (a), line 2, after the word "persons" by deleting the following material: "making electrical installations for employers on the employer's property or to regularly employed maintenance electricians;" and inserting in lieu thereof the following material: "regularly employed as maintenance electrician working on the premises of firms of the following classifications: mines, mills, smelters, public utilities, including rural electrical associations, wood processing plants and refineries".

And, as amended, do pass. (59-1)

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

HALL, Chairman

#### REPORTS OF STANDING COMMITTEES

February 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 205, 363, 424, 473, 556.

QUILICI, Chairman

February 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 393, 419, 459, 484, House Joint Resolutions Nos. 9, 18, 20, 22.

QUILICI, Chairman

February 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 83.

QUILICI, Chairman

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Joint Resolution No. 10: Hall, Chairman; Holmes, Castles.

Fasbender moved that the House adjourn until 1:00 p.m., February 10, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 10, 1973

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by Representative Holmes and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Lombardi, Zimmer, Nichols, Regan, Lockrem, Burnett, and Marbut, excused:

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

February 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 350 and 534.

QUILICI, Chairman

February 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 149, 169, 189, 200, 249, 255, 261, 262, 263, 279, 344, 357, 358, 386, 400, 405, 406, 409, 429, 435, 444, 471, 486, 488, 523, 543 and House Joint Resolutions Nos. 15 and 30.

QUILICI, Chairman

February 10, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do pass.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do not pass.

HALL, Chairman

Report adopted by the following vote:



Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 81.

Noes: Lien, Tierney. Total 2.

Excused: Burnett, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 7.

Absent or not voting: Aageson, Colberg, Galt, Halvorson, Holmes, Kessner, Selstad, Shelden, Walborn, Yardley. Total 10.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Fasbender. Total 1.

Excused: Burnett, Cox, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 8.

Absent or not voting: Aageson, Bradley, Colberg, Fagg, Halvorson, Holmes, Kessner, Mehrens, Selstad, Walborn, Yardley. Total 11.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do pass.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 be amended on page 2, section 1, line 14 after the word "month;" by inserting the new material "for a parole officer II, one thousand dollars (\$1,000) per month;"

And as amended, do pass.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 520, respectfully report as follows: That House Bill No. 520 be amended on page 1, section 1, lines 20 and 21 after the word "retired," by deleting the material "[and who shall not reside in or near the same town or city within the judicial district],".

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 545, respectfully report as follows: That House Bill No. 545 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Sheldon, Smith, Stephens, Stoltz, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Bennetts, Brand, Colberg, Greely, H. Harper, Holmes, McKitterick, Swanberg, Tierney, Turman. Total 10.

Excused: Burnett, Cox, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 8.

Absent or not voting: Bell, Edland, Galt, Hageman, Halvorson, Lynch, Prevost, Schye, Staigmillier. Total 9.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 499, respectfully report as follows: That House Bill No. 499 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 185, respectfully report as follows: That Senate Bill No. 185 be concurred in.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 be amended on page 4, section 1, line 16 after the word "paid" by inserting the new material "in such county or the county in which such city or town is located", and

Be further amended on page 4, section 1, line 16 after the word "year" by inserting the new material "including taxes on shares of stock under 84-4605".

And as amended, do pass.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 be amended on page 4, section 1, line 5 by deleting the words "[state depository board]", and inserting in lieu thereof the new material "board of investments," and

Be further amended on page 6, section 2, line 22 after the word "debtors." by adding a new sentence reading as follows: "Provided, however, as between banks and savings and loans associations and building and loan associations no such depository shall receive deposits at a higher rate of interest for that particular deposit than the maximum authorized by federal law of regulation for any other such depository.", and

Be further amended on page 7, section 3, subsection (2), line 19 after the words "of the" by deleting the words "[state depository board]," and inserting in lieu thereof the new material "board of investments."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 be amended on page 4, section 3, line 11, after the word "person." by inserting the new material "Such application will give the facility the right to detain the applicant for only five (5) days past his written request for release.", and

Be further amended on page 4, section 3, subsection (2), line 16 after the word "state." by inserting the new material "The professional person rendering mental health services to a minor shall, with or without the consent of the minor, advise the parent or legal guardian of the minor of the services given or needed.", and

Be further amended on page 9, section 6, subsection (3), line 12, after the words "detention, the" by deleting the word "[state]" and inserting in lieu thereof the word "statement", and

Be further amended on page 10, section 6, subsection (7), line 15, after the words and punctuation "section 5(7)" by inserting the new material "and given an opportunity for a hearing as provided in section 5(8)", and

Be further amended on page 13, section 8, line 1, after the word

"recommendation" by inserting the new material "Two weeks prior to the end of the involuntary treatment", and

Be further amended on page 13, section 9, line 11, after "needed," by inserting the new material "within two weeks prior to the end of such hospitalization", and

Be further amended on page 13, section 9, subsection (2), line 24, after the word "than" by deleting "three (3)" and inserting in lieu thereof the new material "six(6)", and

Be further amended on page 14, section 9, subsection (2) through (d), (being lines 7 through 25) by deleting all the material in its entirety on lines 7 through 25, and

Be further amended on page 15, section 11, line 2, after the word "before" by deleting the word "[the]" and inserting in lieu thereof the word "a", and

Be further amended on page 15, section 11, line 2, after the word "district" by deleting the word "[court]" and inserting in lieu thereof the word "judge", and

Be further amended on page 16, section 11, subsection (2), line 1, after the word "residence" by inserting the new material "of the alleged mentally ill person", and

Be further amended on page 16, section 11, subsection (5), line 14, by inserting a new subsection (5) to read as follows: "(5) Before any person may be remanded for short or long term involuntary hospitalization following the holding of a hearing as provided herein, at least two (2) professional persons must have examined such person and must give testimony relating to such examination in open court.", and

Be further amended in the subsequent subsections on page 16, within section 11, to conform numerically, and

Be further amended on page 17, section 11, subsection (7), line 1 after the word and punctuation "section 7(5)," by inserting the new material "or upon any other permanent release," and

Be further amended on page 17, section 11, subsection (7), lines 5, 6 and 7, by deleting after the word "court" the following material "[until and unless the respondent becomes subject to an order of long term care and treatment pursuant to section 9 or]".

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 do not pass.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen,



Lee, Lien, Lucas, Lund, Lundgren, Manuel, Marks, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 70.

Noes: Bennetts, Brand, Colberg, Greely, H. Harper, R. Harper, Lynch, McKittrick, Murphy, Roberts, Tierney. Total 11.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Bradley, Edland, Hageman, Holmes, Huennekens, Laas, Mehrens, Staigmiller, Towe, Yardley. Total 10.

February 10, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 548, respectfully report as follows: That House Bill No. 548 be amended on page 9, section 5, subsection (4), line 2, after the word "contractors" by striking the words "[who are not employees]" and inserting in lieu thereof the words "unless written contract specified the creation of an employer-employee relationship for purposes of retirement coverage under the public employees retirement system act", and

Further amend on page 10, section 5, subsection (8), line 6, after the word "systems" by striking the word "[support]" and inserting in lieu thereof the word "supported", and

Further amend on page 10, section 5, subsection (8), line 17, after the word "section" by striking the figure "[60-1101]" and inserting in lieu thereof the figure "68-2301", and

Further amend on page 23, section 22, subsection (3), line 20, after the word "this" by striking the words "[section and section 68-1307]" and inserting in lieu thereof the word "act", and

Further amend on page 33, section 36, line 15, before the word "payments" by striking the word "[weekly]" and inserting in lieu thereof the word "periodic", and

Further amend on page 36, section 39, line 5, after the word "section" by striking the figure "[68-103]" and inserting in lieu thereof the figure "68-1503", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 be amended on page 19, section 13, subsection (6), line 3, after the word "a" by deleting the word "[misdemeanor]" and inserting in lieu thereof the word "felony", and

Further amend, page 19, section 13, subsection (6), line 4, after the word "three" by deleting the words "[hundred dollars (\$300)]" and inserting in lieu thereof the words "thousand dollars (\$3000)", and

Further amend, page 19, section 13, subsection (6), line 5, after the word "than" by deleting the words "[one (1) year]" and inserting in lieu thereof the words "five (5) years", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

FLEMING, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do pass.

FLEMING, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do pass.

FLEMING, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 562, respectfully report as follows: That House Bill No. 562 do pass.

FLEMING, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 10, respectfully report as follows: That House Resolution No. 10 be adopted.

FLEMING, Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

February 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 140, introduced by Carl, Goodheart, et al

Senate Bill No. 282, introduced by Devine, Moore, et al

Senate Bill No. 288, introduced by Moritz, Bertsche, et al

Senate Bill No. 301, introduced by Mathers and Cochrane

Senate Bill No. 322, introduced by Bollinger and Goodheart

Senate Bill No. 324, introduced by Bollinger and Goodheart

Senate Bill No. 357, introduced by Turnage

Senate Bill No. 366, introduced by Committee on Highways and Transportation (by request)

Senate Bill No. 389, introduced by Bollinger and Moritz

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 579, introduced by Quilici, Bennetts, Menahan, Lynch, Fasbender: A bill for an act entitled: "An act abolishing the Division of Employment Security and transferring its functions to the Department of Labor and Industry; and repealing Sections 82A-1006 and 82A-1007, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 140, introduced by Carl, Goodheart, Keenan, Mathers, Siderius, Lowe, Klindt, Vainio: A bill for an act entitled: "An act to amend Section 82-3319, R.C.M. 1947, regarding the appointment of architects and consulting engineers." Referred to Committee on State Administration.

Senate Bill No. 282, introduced by Devine, Moore, Bennett, Lynch, Keenan, Gilfeather, Vainio: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, relating to group hospitalization, medical, health, including long-term disability, accident and/or group life insurance contracts or plans for the benefit of public employees and their dependents by increasing the employer contribution thereto." Referred to Committee on Finance and Claims.

Senate Bill No. 288, introduced by Bertsche, Mathers, Moritz, Sorensen: A bill for an act entitled: "An act to include pupils in state institutional schools meeting eligibility requirements in the school food services program." Referred to Committee on Education.

Senate Bill No. 301, introduced by Mathers, Cochrane: A bill for an act entitled: "An act to amend Section 69-5217, R.C.M. 1947, to clarify the right of hospitals, hospital related facilities and long-term care facilities to establish general rules requiring standards of competency and rules of practice and procedure relating to all persons performing services in the hospital or other such facility; and to repeal Sections 94-3557 and 94-3558, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 322, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act to amend Section 23-3013, R.C.M. 1947, by extending the time in which the registrar must make a survey; extending the number of elections before a voter's registration card is canceled; and by providing that registration may not be canceled while a registered voter is serving in the armed forces." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 324, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act providing that a list be furnished to the Secretary adopted.

tary of State of each Montana resident who has died, and that the voter registration of individuals who have died be canceled." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 357, introduced by Turnage: A bill for an act entitled: "An act to provide that a county attorney be elected in each county for a four (4) year term; and amending Section 16-2406, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 366, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to permit the Department of Highways to apportion state construction funds during the interim between legislative sessions." Referred to Committee on Highways and Transportation.

Senate Bill No. 389, introduced by Bollinger and Moritz: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, providing for a minimum number of deputy registrars; that the number of deputy registrars for each precinct shall always be equally divided between the two (2) major political parties; and that registration cards executed before the registration deadline shall be accepted three (3) days after the deadline." Referred to Committee on Constitution, Elections and Federal Relations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 368 be amended in the title on page 1, line 4, following the word "requiring" by striking the word "[all]", and

Further amend the title on page 1, line 5, of the Second Reading Bill by striking the first word on the line "[stockholders]" and inserting in lieu thereof the new material "corporate officers", and (65-20)

Further amend House Bill No. 368 in Section 1, page 1, line 11 of the Second Reading Bill, following the word and punctuation "owners," strike the words and punctuation "[stockholders, mortgagees]" and inserting in lieu thereof the words and punctuation "corporate officers who sign for a liquor license, persons having a security interest or mortgage in a retail liquor license (except banks, savings and loan associations, and regulated loan agencies)," (66-15)

And as amended, do not pass (45-39).

That House Bill No. 402 be amended on page 1, title, line 5 after the word "sources" by deleting the punctuation mark "[.]" inserting in lieu thereof the new material "amending section 93-701-4, R.C.M. 1947." (77-3)

And further amend Section 1. Section 93-701-4, R.C.M. 1947 is amended to read as follows:

93-701-4 (10536) Persons in certain relations cannot be examined. There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person cannot be examined as a witness in the following cases:



1. A husband cannot be examined for or against his wife without her consent; nor a wife for or against her husband without his consent; nor can either, during the marriage or afterward, be, without the consent of the other, examined as to any communication made by one to the other during the marriage; but this exception does not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other.

2. An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional employment.

3. A clergyman or priest cannot, without the consent of the person making the confession, be examined as to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs.

4. A licensed physician or surgeon cannot, without the consent of his patient, be examined in a civil action as to any information acquired in attending the patient, which was necessary to enable him to prescribe or act for the patient.

5. A public officer cannot be examined as to communications made to him in official confidence, when the public interests would suffer by the disclosure.

6. Any person engaged in teaching psychology in any school, or who acting as such is engaged in the study and observation of child mentality, shall not without the consent of the parent or guardian of such child being so taught or observed testify in any civil action as to any information so obtained.

7. A counselor, psychologist, nurse, or teacher, employed by any educational institution, cannot be examined as to communications made to him in confidence by a duly registered student of such institution, provided however, that this provision shall not apply where consent has been given by the student, if not a minor, or if he is a minor, by the student and his parent or legal guardian.

8. A publisher, editor, reporter or other person connected with or employed upon a newspaper, or by a press association or wire service, or any person who has been so connected or employed, cannot without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he be adjudged in contempt by a court, the legislature or any administrative body for refusing to disclose the source of any information procured while so connected or employed for publication and published in a newspaper.

9. Nor can a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television.”

And further amend the title by withdrawing all of the amendments to the title of the bill at a previous session and that the title be amended in line 5, page 1, of the original bill by adding after the word “sources”, and insert the following: “amending Section 93-701-8 R.C.M. 1947.” (62-9)

And as amended, be passed for the day.

That House Bill No. 167 be passed for the day.

That House Bill No. 205 do pass (58-26).

That House Bill No. 363 do pass (80-0).

That House Bill No. 417 do pass (75-12).

That House Bill No. 424 be passed to the bottom of the board.

That House Bill No. 436 do pass (79-1).

That House Bill No. 465 be amended on page 8, section 4, subsection (1), line 20, after the word "recorder," by striking the word "[sell]" and inserting in lieu thereof the words "make disposition of". (69-0)

And be further amended on page 11, section 8, line 24 of the introduced bill by striking all of subsection (2) "[ (2) As an alternate, a civil action may be instituted for the determination and collection of the penalties. Enforcement proceedings as set forth in this subsection (2) shall be brought in the name of the state and may be instituted by the county attorney of the county of violation, or the attorney general, upon request of the department].", and

Further amend on page 12, section 8, subsection (3), line 6, after "Action under subsection (1)" by striking the material "[or subsection (2)]," and

Further amend by renumbering subsequent subsections in section 8 to conform numerically. (74-0)

And as amended do pass (68-11).

That House Bill No. 473 do pass (53-31).

That House Bill No. 478 do pass (79-6).

That House Bill No. 496 be amended in Section 6, page 7, line 8, of the introduced bill following the word and punctuation "notification." by inserting a new sentence "It shall be unlawful for firemen as defined in Section 2 of this act to participate in a strike." (55-8)

And as amended, do pass (69-2).

That House Bill No. 540 do pass (79-0).

That House Bill No. 552 be passed for the day.

That House Bill No. 556 do pass (59-25).

That House Joint Resolution No. 31 do pass (78-0).

That House Bill No. 424 be passed for the day.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

SWANBERG, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 26 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall,

Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Edland, Fasbender, Fleming, Gunderson, Hager, Haines, Kessner, Menahan, Schye. Total 9.

House Bill No. 83 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Gunderson, Haines, Kessner, Menahan, Norman, Schye. Total 8.

House Bill No. 125 was passed by the following vote:

Ayes: Ainsworth, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Aageson, Asbjornson, Bell, Burnett, Edland, Ellerd, Galt, Holtz, Hubing, Jacobsen, Kolstad, Kvaalen, Lien, Manuel, Marks, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 22.

Paired: Lucas, aye; Burnett, no; Fasbender, aye; Kvaalen, no; Lombardi, aye; Turner, no; Ulmer, aye; Ellerd, no.

Excused: Cox, Lockrem, Marbut, Nichols, Regan, Zimmer. Total 6.

Absent or not voting: Bardanouve, Fleming, Gunderson, Haines, Johnston, Kessner. Total 6.

House Bill No. 278 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Mena-



han, Murphy, Norman, Prevost, Quilici, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 58.

Noes: Aageson, Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, East, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kolstad, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmiller, Ulmer, Walborn, Warfield. Total 27.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Ainsworth, Fasbender, Fleming, Haines, Huenekens, Kessner. Total 6.

House Bill No. 286 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Fagg, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Lee, Lucas, Lundgren, Lynch, McKittick, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Asbjornson, Bardanouve, Brand, Clemow, East, Edland, Flynn, Galt, Healy, Hubing, Jacobsen, Kolstad, Laas, Lien, Lund, Murphy, Quilici, Schye, Smith, Walborn. Total 20.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Kessner. Total 4.

House Bill No. 307 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lucas, Lund, Lynch, McKittick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Asbjornson, Castles, East, Fagg, Flynn, Galt, Holtz, Hubing, Kosena, Lien, Marks, Olson, Schye, Seifert, Selstad, Smith, Walborn. Total 17.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Jones, Kessner, Lundgren. Total 6.

House Bill No. 315 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, Lynch, McKittick, Manuel, Marks, Mehrens, Menahan, Mercer,



Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Castles. Total 1.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Kessner, Lucas. Total 5.

House Bill No. 366 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittick, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Castles, Clemow, East, Galt, Glennen, Holtz, Hubing, Mercer, Rolfe, Schye, Seifert, Selstad, Smith, Turner. Total 19.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Huennekens, Kessner. Total 5.

House Bill No. 393 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Kessner, Norman. Total 5.

House Bill No. 94 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Flynn, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens,

Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 85.

Noes: Bardanouve. Total 1.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Kessner, Mr. Speaker. Total 5.

House Bill No. 419 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: East, Fasbender, Fleming, Haines, Kessner. Total 5.

House Bill No. 431 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Asbjornson, Barrett, Brown, Clemow, East, Galt, Holtz, Hubing, Jacobsen, Jones, Lien, Lund, Lundgren, Mercer, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 21.

Paired: Lombardi, aye; Turner, no.

Excused: Burnett, Cox, Ellerd, Lockrem, Marbut, Nichols, Regan, Zimmer. Total 8.

Absent or not voting: Fasbender, Fleming, Glennen, Haines, Kessner. Total 5.

House Bill No. 459 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan,

Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Bardanouve, Swanberg. Total 2.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Haines, Kessner. Total 4.

House Bill No. 484 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bradley, Campbell, Castles, Clemow, Edland, Fagg, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holtz, Jones, Kimble, Kosena, Kvaalen, Lucas, Lund, Lundgren, McKittrick, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmiller, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 50.

Noes: Aageson, Baeth, Bell, Bennetts, Brand, Brown, Colberg, Cotton, Driscoll, East, Glennen, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kolstad, Laas, Lee, Lien, Lynch, Manuel, Mehrens, Norman, Quilici, Regan, Roberts, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Walborn, Yardley. Total 38.

Paired: Hall, aye; Regan, no.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Zimmer. Total 8.

Absent or not voting: Fasbender, Fleming, Haines, Kessner. Total 4.

House Joint Resolution No. 9 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Galt, Hager, Haines, Hubing, Kessner, Schye. Total 8.

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lucas, Lundgren, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner,



Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Asbjornson, Barrett, Bell, East, Hager, Kolstad, Kvaalen, Lien, Lund, Lynch, Marks, Mercer, Olson, Rolfe, Selstad, Smith, Walborn. Total 17.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fasbender, Fleming, Galt, Haines, Kessner, Schye. Total 6.

House Joint Resolution No. 20 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, East, Fagg, Flynn, Forsgren, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Stoltz, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Mr. Speaker. Total 64.

Noes: Bardanouve, Baucus, Brand, Driscoll, Edland, Glennen, Greely, Gunderson, Johnston, Laas, Marks, Mercer, Smith, Staigmill, Stephens, Swanberg, Turner, Warfield, Yardley. Total 19.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Nichols, Marbut, Regan, Zimmer. Total 9.

Absent or not voting: Bennetts, Fasbender, Fleming, Galt, Haines, Kessner, Quilici, Schye. Total 8.

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Barrett, Kolstad, Smith. Total 3.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Bennetts, Fasbender, Fleming, Haines, Kessner, Schye. Total 6.

### THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, East, Edland, Flynn, Forsgren, Galt, Glennen, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lucas, Lund, Lundgren, McKittrick, Manuel, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Rolfe, Schepens,



Seifert, Selstad, Shelden, Smith, Staigmiller, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 64.

Noes: Ainsworth, Brand, Driscoll, Fagg, Greely, Gunderson, R. Harper, Kvaalen, Lien, Lynch, Mehrens, Menahan, Stephens, Stoltz, Tierney. Total 15.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Bennetts, Cotton, Fasbender, Fleming, Hageman, Haines, Kessner, Marks, Roberts, Schye, Swanberg, Yardley. Total 12.

The Speaker appointed the following Select Committee on Gambling: Lien, Hall, Lee, Hageman, Lundgren, Nichols, Ulmer.

### REPORTS OF STANDING COMMITTEES

February 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 373, 156, 333, 480, 491, 477, 225, 426, 214 and 504.

QUILICI, Chairman

February 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Resolution No. 10 and House Bills Nos. 562, 241, 216 and 215.

QUILICI, Chairman

February 10, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 8, respectfully report as follows: That House Resolution No. 8 be adopted.

LEE, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 37, respectfully report as follows: That House Joint Resolution No. 37 be amended on page 1, in the title, line 6 after the word "health" by inserting the word "services", and

Further amend on page 1, line 14 after the word "federal" by deleting the words "[court decisions]" and inserting in lieu thereof the word "courts", and

Further amend on page 1, line 25 after the word "health" by inserting the word "services", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 be amended on page 1, in the

title of the Second Reading Bill, line 6 by striking the word "[full time]", and

Further amend on page 1, in the title, line 6 by reinstating the stricken material "of not more than one-hundred eighty (180) calendar days while engaged in such service;", and

Further amend on page 1, section 1, line 16 by striking the word "[full time]", and

Further amend on page 1, section 1, line 18 after the word "service" by reinstating the following material " , provided that such service shall not require the employee to be absent from work more than one hundred eighty (180) days out of any calendar year.", and

Be amended on page 1, in the title, line 6 of the introduced bill by striking the word "[full time]", and

Further amend on page 1, section 1, line 16 by striking the word "[full time]", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 be amended on page 1, in the title, line 8 after the words "industry and" by inserting "providing an appeal to", and

Further amend on page 1, section 1, line 19, after the word "functions" by deleting the following material "[except the quasi judicial functions contained in title 92, chapter 8, transferred to the board of labor appeals in section 82A-1012 of this title,]", and

Further amend on page 1, section 1, line 25 after the word "compensation" by deleting the following material "[, except references relating to the quasi judicial functions contained in title 92, chapter 8, transferred to the board of labor appeals]", and

Further amend on page 2, line 4, by deleting section 2 in its entirety, as follows: "[Section 2. There is a new section to be numbered 82A-1012, R.C.M. 1947, which reads as follows: 82A-1012. Functions transferred to board of labor appeals. The quasi judicial functions of the division of workmen's compensation, contained in title 92, chapter 8 (pertaining to workmen's compensation laws), are transferred to the board of labor appeals, unless inconsistent with this title, any reference in title 92, chapter 8, to the division of workmen's compensation relating to the quasi judicial functions, transferred to the board of labor appeals means the department of labor and industry].", and insert in lieu thereof the following new section 2 "Section 2. Board of labor appeals—hearings concerning disputes and controversies. A person who has a dispute or controversy concerning the administration of workmen's compensation laws (title 92, chapters 1 through 14) by the department of labor and industry, and who has exhausted all other administrative remedies within the department of labor and industry, is entitled to a hearing before the board of labor appeals for a final determination of the dispute or controversy. The board of labor appeals may annul, amend, or modify, in accordance with the authority of the department of labor and industry under the provisions of the workmen's compensation laws (title 92, chapters 1 through

14), any decision concerning a dispute or controversy that has been appealed to the board of labor appeals from a decision of the department of labor and industry.", and

Further amend on page 2, at the end of the bill, by adding a new section 4, to read "Section 4. This act is effective June 30, 1973.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 do pass.

McKITTRICK, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 539, respectfully report as follows: That House Bill No. 539 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 554, respectfully report as follows: That House Bill No. 554 be held over for study until the Second Half of the 43rd Legislative Session in January, 1974.

SHELDEN, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do pass.

SHELDEN, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do not pass.

SHELDEN, Chairman

Bennetts moved, as a substitute motion, that House Bill No. 391 be rereferred to Committee on Natural Resources. Bennetts requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Greely, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kolstad, Lund, McKittrick, Murphy, Norman, Roberts, Stoltz, Towe, Watt, Yardley. Total 29.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brown, Campbell, Castles, Clemow, East, Edland, Flynn, Forsgren, Glennen, Gunderson, Hager, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kvaalen, Laas, Lee, Lien, Lucas, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 55.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Fagg, Fasbender, Fleming, Galt, Haines, Kessner, Kosena. Total 7.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brown, Campbell, Castles, Cotton, East, Edland, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, Lynch, Manuel, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 58.

Noes: Baucus, Bennetts, Bradley, Brand, Colberg, Driscoll, Hall, Halvorson, H. Harper, R. Harper, Holmes, Huennekens, Kimble, McKittrick, Marks, Murphy, Norman, Roberts, Shelden, Stoltz, Swanberg, Tierney, Watt. Total 23.

Excused: Burnett, Cox, Ellerd, Lockrem, Lombardi, Marbut, Nichols, Regan, Zimmer. Total 9.

Absent or not voting: Bardonouve, Clemow, Fagg, Fasbender, Fleming, Galt, Haines, Kessner, Lucas, Mehrens. Total 10.

February 10, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 34, respectfully report as follows: That House Joint Resolution No. 34 be amended in the title, page 1, line 7, by inserting a comma (,) after the words "bottle act"; by striking the word [and]; and striking the period (.) after the words "litter act"; and adding after the words "litter act" the following punctuation and words: " , other state acts, and non-governmental entities on litter control, solid waste disposal, recycling, and energy conservation."

Be further amended on page 2, line 2, by inserting a comma (,) after the word "Act", and striking the word "[and]".

Be further amended on page 2, line 3, by inserting after the word "Act" the following punctuation and words " , and other state acts and non-governmental entities."

Be further amended on page 2, line 9, after the word "and" by adding the following number, words and punctuation "(5) the impact on energy conservation."

Be further amended on page 2, line 10, after the word "resolved" by inserting the following: "that such study include evaluation of the laws of other states which relate to litter control, solid waste disposal, and recycling of waste materials and evaluation of the experience of non-governmental entities in such areas," and

As amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.



## MOTIONS AND RESOLUTIONS

Towe, having voted on the prevailing side on House Bill No. 391, moved that the House reconsider its action just taken.

Huennekens moved, as a substitute motion, to table the motion.

Motion failed.

Towe withdrew his motion.

Lucas, having voted on the prevailing side on House Bill No. 391, moved that the House reconsider its action.

Motion failed.

Hall moved that the House adjourn until 1:30 p.m., February 12, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 12, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except, Schye, Aageson, Walborn, Cox, Barrett, Kolstad, Galt, Hager, Zimmer, Ellerd, Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 36th Legislative Day, find the same to be correct.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 131, 297, 299, 309, 310, 313, 338, 342, 360 and 487.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 385.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 205, 363, 404, 408, 417, 436, 446, 473, 540, 556 and 478, and House Joint Resolutions Nos. 27 and 31.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 31, 91, 95 and 106, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 10, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the point of information raised by Representative James Burnett, respectfully report as follows: That a separation of executive and legislative powers does not extend itself to prohibiting any individual, whether on his own behalf or on behalf of any agency of government, from being allowed to testify before any committee of the House.

FASBENDER, Chairman

Burnett moved, as a substitute motion, that the committee report be not adopted.

Motion failed.

Thereupon, the committee report was adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 11, respectfully report as follows: That House Resolution No. 11 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Bill No. 348, respectfully report as follows:  
That House Bill No. 348 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 80.

Noes: Hageman, Lundgren, Swanberg, Tierney, Ulmer. Total 5.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Brown, Edland, Fagg, Galt, Nichols, Watt. Total 6.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 349, respectfully report as follows:  
That House Bill No. 349 do pass.

MEHRENS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 415, respectfully report as follows:  
That House Bill No. 415 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turner, Ulmer, Yardley, Mr. Speaker. Total 67.

Noes: Brand, Brown, Driscoll, Forsgren, Glennen, Healy, Lockrem, Lundgren, Lynch, Marks, Mercer, Quilici, Roberts, Rolfe, Tierney, Turman, Warfield. Total 17.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Fagg, Galt, Halvorson, Jones, Schye, Towe, Watt. Total 7.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Bill No. 483, respectfully report as follows:  
That House Bill No. 483 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: Mercer. Total 1.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Brown, Colberg, Fleming, Lund, Lundgren, Schye, Selstad, Watt. Total 8.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 512, respectfully report as follows:  
That House Bill No. 512 do pass.

MEHRENS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 516, respectfully report as follows:  
That House Bill No. 516 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lien, Lockrem, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Flynn, Hageman, Healy, Lee, Lombardi, Lucas, Lundgren, Lynch, Quilici, Roberts. Total 10.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Bardanouve, Brown, Colberg, Edland, Fleming, Kosena, Lund, Watt. Total 8.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having



had under consideration House Bill No. 560, respectfully report as follows: That House Bill No. 560 do not pass.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Brown, Colberg, Edland, Fleming, Galt, Gunderson, R. Harper, Holmes, Huennekens, Watt. Total 10.

February 12, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 455, respectfully report as follows: That House Bill No. 455 be amended as follows:

Be amended on page 4, section 2, subsection (1), line 6, after the word "law." by striking the following material: "[Appropriations made to an account within the revolving fund apply to operational expenditures during the fiscal period but do not apply to the purchase of assets which are to be charged to an appropriation based on actual or computed consumption within the limitations of an annual financial plan approved by the department of administration.]" and inserting in lieu thereof the words "Monies deposited in the revolving fund for the purpose of financing administrative operations shall be paid out of the treasury only by appropriation made by law. Monies deposited in the revolving fund for the purpose of purchasing consumable or depreciable assets may be expended within the limitations of an annual financial plan approved by the department of administration.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

MEHRENS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do pass.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 558, respectfully report as follows: That House Bill No. 558 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Ben-  
netts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg,  
Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren,  
Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H.  
Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens,  
Jacobsen, Johnston, Jones, Kendail, Kessner, Kimble, Kosena, Kvaalen,  
Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick,  
Manuel, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Pre-  
vost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad,  
Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe,  
Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Wal-  
born, Zimmer. Total 9.

Absent or not voting: Lundgren, Mehrens. Total 2.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under  
consideration House Bill No. 461, respectfully report as follows: That  
House Bill No. 461 be amended on page 1, section 1, subsection (1), line 12  
by inserting after the word "spouse" the words and figures "and upon  
compliance with the provisions of subparagraphs (2), (3) and (4) herein";  
and

Be further amended on page 1, section 1, subsection (1), lines 14 and  
15, by striking after the word "issue" on line 14 the words "[an appro-  
priate instrument transferring such]" and inserting in lieu thereof the  
words "a certificate of transfer which shall constitute a valid transfer  
of the joint tenancy"; and

Be further amended on page 1, section 1, subsection (1), lines 17 and  
18, by striking after the word "apply" on line 17 the words and punctua-  
tion "[, so long as the provisions of subsections (2), (3) and (4) of this  
act are satisfied]", and

Be further amended on page 2 by striking all the material beginning  
with the word "[after]" in line 2, down through and including the word  
"[Montana]" in line 16, and inserting in lieu thereof the following material  
"(4) A sworn statement by the surviving spouse listing all real and per-  
sonal property and the value thereof shall be mailed to the department of  
revenue of the state of Montana. The department of revenue shall compute  
all inheritance taxes that may be due and give notice of same to the sur-  
viving spouse. Upon payment of such tax the department of revenue  
shall issue a receipt which shall be filed with the appropriate county clerk  
and recorder. Nothing contained herein shall prohibit the department of  
revenue from conducting its own investigation and making a determination  
of taxes due subject to appeal to the state tax appeal board."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under  
consideration House Bill No. 542, respectfully report as follows: That

House Bill No. 542 be amended on page 8, section 14 after the word, numbers and punctuation "Section 14." by deleting the material "[ (1) ]", and

Be further amended on page 9, section 14, lines 1 through 13 by deleting all the material beginning with the parenthesis and number "[ (2) ]" in line 1 and ending with the word "[ parlors. ]" in line 13, and

Be further amended on page 17, section 29, line 6 after the word "created" by inserting the new material "in the Department of Labor and Industry", and

Be further amended on page 17, section 29, lines 11, 12 and 13 after the word "chairman." by deleting the sentence "[ No more than four (4) members of the commission shall be from the same political party, and no more than four (4) shall be of the same race, religion or sex. ]" and inserting in lieu thereof the new material "Appointments should take into consideration sex and the various racial, religious, cultural and social groups within the state.", and

Be further amended on page 17, section 29, line 23 after the parenthesis and number "(3)" by deleting the words "[ Three (3) ]" and inserting in lieu thereof the new material "Four (4)", and

Be further amended on page 18, section 29, line 5 after the words "per diem of" by deleting the material "[ fifty dollars (\$50) ]" and inserting in lieu thereof the new material "twenty five dollars (\$25)",

Be further amended on page 20, section 30, line 23 after the word "origin." by adding a new subsection "(13) to study problems of discrimination in areas of age and physical handicaps and the commission shall report back to the 44th legislative assembly their recommendations for legislation in this area.", and

Be further amended on page 21, section 31, line 1 after the word and punctuation "commission," by inserting the new word "or", and

Be further amended on page 21, section 31, line 1 after the word "general" by deleting the material "[, or a nonprofit organization chartered to combat discrimination]".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 500, respectfully report as follows: That House Bill No. 500 be amended as follows:

Amend on page 1, section 1, line 21 after the word "appoint" by inserting the word "at least" and,

Further amend on page 1, section 1, lines 22 and 23 by striking the following language "[one (1) from each of the two (2)]" and insert in lieu thereof the following language "which shall be divided equally between the"

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 479, respectfully report as follows: That House Bill No. 479 do pass.

GREELY, Vice-Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 be amended in section 2, page 2, line 5, after the material "(\$150)", by adding the following material: "shall be punished by a fine of not to exceed five hundred dollars (\$500) or by imprisonment in the county jail for a term not to exceed six (6) months or both. Misappropriations of construction funds hereunder, of the value of one hundred fifty dollars (\$150)", and

As amended, do pass.

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 551, respectfully report as follows: That House Bill No. 551 do pass.

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 be amended in section 7, subsection (c), page 6, line 19, after the words "presence of" by striking the words: "[the court]" and inserting in lieu thereof the words: "a person authorized to take acknowledgements", and

Be further amended in section 11, page 10, after line 8, by inserting a new subsection (2) to read as follows: "The foregoing notice may be waived by the court if the child is related by blood to one of the petitioners or is a step child of the petitioner.", and

Be further amended by renumbering subsequent subsections to conform numerically, and

Be further amended in section 11, subsection (5), page 10, following line 25, by inserting the following material: "and report is not required in cases in which an agency is a", and



Be further amended in section 11, subsection (5), page 11, following line 6, by striking the following material: "[which is required to consent to the adoption.]",

And, as amended, do pass.

HALL, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 492, respectfully report as follows: That House Bill No. 492 do pass.

HALL, Chairman

Report adopted.

February 9, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 547, respectfully report as follows: That House Bill No. 547 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Driscoll, Kessner, Rolfe, Tierney. Total 4.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Brown, Cotton, Edland, Haines, Holmes, Johnston, Kimble, Lockrem, Lundgren, Norman. Total 10.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 510, respectfully report as follows: That House Bill No. 510 do not pass.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Baeth, Roberts. Total 2.

Excused: Aageson, Barrett, Cox, Ellerd, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 9.

Absent or not voting: Brown, Colberg, Cotton, Edland, Haines, Huenekens, Kimble, Lockrem, Turman. Total 9.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do pass.

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do pass.

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 do pass.

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 be amended on page 2, section 1, subsection (2), line 18, after the word "inches" by reinserting the deleted material: ", except buses which may have a total outside width not to exceed one hundred two (102) inches, and such bus width shall be allowed only on paved highways twenty (20) feet or more in width", and

Be further amended on page 3, section 1, subsection (2), line 7, after the word "shall" by deleting the following material: "[be properly displayed by a rotating red light which meets standard requirements of the department of highways. However, if the highway passes through a hazardous area, such implements of husbandry must be preceded and followed by flagman, provided the area is posted to that effect by the highway patrol bureau.]" and insert in lieu thereof the following material: "properly display lights which meet standard requirements in Section 32-21-134, R.C.M. 1947. However, if the highway passes through a hazardous area, such implements of husbandry must be preceded and followed by flagman

escorts; provided the area is posted to that effect by the department of highways.”, and

Further amend on page 10, section 1, subsection (5) (g), line 1, after the word “this” by deleting the word “[section]” and inserting in lieu thereof the word “act”., and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do pass.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 490, respectfully report as follows: That House Bill No. 490 be amended in section 1, on page 1, line 10, after the word “may” by striking the word “ask”, and inserting in lieu thereof the word “require”, and

Be further amended in section 1, page 1, line 13, before the word “him” by striking the word “[ask]” and inserting in lieu thereof the word “require”, and

Be further amended in section 1, page 1, line 14, after the word “manner” by striking the word “[ask]” and inserting in lieu thereof the word “require”, and

As amended do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 502, respectfully report as follows: That House Bill No. 502 be amended in section 6, page 2, line 20, after the word “by” by striking the words “[an appropriate agent]”, and inserting in lieu thereof the words: “a university faculty member or an administrator of the unit at which the student is registered for private use by that official”, and

Be further amended in section 7, page 3, line 5, after the word "compiled" by inserting the following words: "upon him or her", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 be amended in section 4, page 8, line 17, after the word "additional" by deleting the word "[county]", and inserting in lieu thereof the word "state", and

Be further amended in section 4, page 8, line 18, after the words "high schools" by inserting the following material: "or, if there is no additional state levy under this section the excess may be transferred to the state equalization aid account for the reduction of the legislative appropriation", and

Be further amended in section 5, subsection (a), page 10, line 1, before the word "mills" on line 2, by striking the following material: "[ten (10)]", and inserting in lieu thereof the following: "nine (9)", and

Be further amended in section 5, subsection (b), page 10, line 11, after the word "exceeding", by striking the following: "[five (5)]", and inserting in lieu thereof the following: "six (6)", and

Be further amended in section 6, page 12, line 11, after the words "adopt a" by inserting the word "total", and

Be further amended in section 6, page 12, line 12, after the word "exceeds" by striking the following material: "[one hundred ten percent (110%)]", and inserting in lieu thereof the following material: "one hundred five percent (105%)", and

Be further amended in section 6, page 12, line 14, after the word "under" by striking the word "[emergency]", and

Be further amended in section 6, page 12, line 15, after the code "75-6730", by adding the following material: "as adopted under 75-6903", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 550, respectfully report as follows: That House Bill No. 550 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

SHELDEN, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Education, having had under



consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do pass.

GUNDERSON, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 be amended on page 2, section 3, paragraph 5, line 23, by striking the word "[parcels]" and inserting in lieu thereof the word "lots".

Be amended on page 4, section 4, paragraph 1, line 19, by striking the numbers "[8]" and "[2]" and inserting in lieu thereof the numbers "5" and "3".

Be amended on page 5, section 4, paragraph 2, line 11, by striking the word "[by]" and inserting in lieu thereof the word "be".

Be amended on page 7, section 6, line 24, by striking the number "[4]" and inserting in lieu thereof the number "5".

Be amended on page 10, section 8, line 21, by striking the word "[section]" and inserting in lieu thereof the word "act".

Be amended on page 11, section 8, paragraph 5, line 25 by striking the number "[3]" and inserting in lieu thereof the number "4".

Be amended on page 12, section 9, paragraph 1, subparagraph c, lines 11, 12, and 13, by striking these lines.

Be amended on page 12, section 9, paragraph 1, subparagraph e, line 14, by striking the letter "[c]" and the words "[division of forestry]" and the comma "[,]" and inserting in lieu thereof the letter "c".

Be amended on page 12, section 9, paragraph 1, subparagraph f, line 16, by striking the letter "[f]" and inserting in lieu thereof the letter "d".

Be amended on page 12, section 9, paragraph 1, subparagraph g, line 17 through 22, by striking all the lines.

Be amended on page 12, section 9, paragraph 1, subparagraph h, line 23, by striking the letter "[h]" and inserting in lieu thereof the letter "e".

Be amended on page 12, section 9, paragraph 1, subparagraph i, line 24, by striking the letter "[i]" and inserting in lieu thereof the letter "f".

Be amended on page 13, section 9, paragraph 1, subparagraph j, k, and l, lines 7 through 18, by striking it all.

Be amended on page 13, section 9, paragraph 1, subparagraph m, line 19, by striking the letter "[m]" and inserting in lieu thereof the letter "g".

Be amended on page 13, section 9, paragraph 1, subparagraph n, line 20, by striking the letter "[n]" and inserting in lieu thereof the letter "h".

Be amended on page 16, section 11, line 8, by striking the number "[3]" and inserting in lieu thereof the number "4".

Be amended on page 17, section 13, paragraph 1, line 9, by striking the word "[than]" and inserting in lieu thereof the word "then".

Be amended on page 20, section 15, paragraph 3, line 5, by striking the word "[by]" and inserting in lieu thereof the word "to".

Be amended on page 6, section 5, paragraph 2, lines 13 and 14, by

striking the words "[each newspaper published in the country]" and insert in lieu thereof the words "a prominent place in a newspaper of general circulation".

Be amended on page 5, section 4, paragraph 2, line 13, by striking the number "[6]" and inserting in lieu thereof the number "8".

Be amended on page 5, section 4, paragraph 2, line 16, by striking the words "[a reasonable time]" and inserting in lieu thereof the following: "thirty (30) days".

And, as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 10, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 be amended as follows: On page 1, in the title, on line 10, after the words "motor carriers" by inserting the following: "upon suspension by the commission of the tariff sheet or sheets", and

Be further amended on page 1, in the title, line 13, after the word "within", by deleting the words and figures "[thirty (30)]" and inserting in lieu thereof the words and figures "twenty (20)", and

Further amend on page 2, line 15, after the word "thereof" by deleting the following material: "[Upon filing such changes or revisions, such tariff sheet or sheets must be accompanied by such prepared testimony and exhibits from the motor carrier as will support such changes or revisions.]" and inserting in lieu thereof the following: "Upon filing such changes or revisions, all tariff sheet or sheets, when suspended by the board, must be supported by such prepared testimony and exhibits from the motor carrier as will support such changes or revisions. The prepared testimony and exhibits must be filed with the Commission thirty (30) days after the effective date of such suspension. Such testimony and exhibits may be supplemented prior to, or at the time of hearing, and supplemental exhibits may be filed after the close of the hearing at the direction or with permission of the commission.", and

Be further amended on line 22, page 2, before the word "days", by striking the word and figure "[thirty (30)]" and inserting in lieu thereof the words and figure "twenty (20)", and

Be further amended on lines 7 and 8, page 3, after the word "notice", by striking the following material: "[by the board of any complaint filed by any interested party to any proposed tariff change or revision]", and inserting in lieu thereof the following material: "by the complaining party mailing a copy of the complaint concerning such proposed change or revision to the carrier or publishing agent.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 568, respectfully report as follows:

That House Bill No. 568 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

STAIGMILLER, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 576, respectfully report as follows: That House Bill No. 576 be held over until the Second Session of the 43rd Legislative Assembly in January, 1974.

GREELY, Vice-Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 559, respectfully report as follows: That House Bill No. 559 be amended as follows:

Amend on page 1, of the title, line 13 by striking the “[.]” and inserting the following language “; and providing an effective date.” and,

Further amend on page 8, section 7, line 1 by striking the words “[this act]” and inserting in lieu thereof the word “law” and,

Further amend on page 8 at the end of the bill by adding a new section to read as follows:

“Section 9. This act shall be effective for all elections on and after January 1, 1976.”

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 565, respectfully report as follows: That House Bill No. 565 be held over until the Second Session of the 43rd Legislative Assembly in January, 1974.

GREELY, Vice-Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 be amended on page 1, section 1, line 18 after the word “least” by striking “[five hundred twenty five dollars (\$525)]” and inserting in lieu thereof “six hundred dollars (\$600)”, and

Further amend on page 1, section 1, line 21 after the figure and punctuation “[\$525]” by striking “[seven hundred fifty dollars (\$750)]” and inserting in lieu thereof “six hundred dollars (\$600)”, and

Further amend on page 1, section 1, line 23 after “(\$525)” by deleting “[seven hundred fifty dollars (\$750)]”, and

Further amend on page 2, section 1, line 6 after “(\$475)” by deleting “[seven hundred dollars (\$700)]” and inserting in lieu thereof “six hundred dollars (\$600)”, and

Further amend on page 2, section 1, line 8 after “(\$475)” by deleting “[seven hundred dollars (\$700)]” and inserting in lieu thereof “six hundred dollars (\$600)”, and

Further amend on page 2, section 1, line 10 after “salary” by deleting “[of four hundred seventy-five dollars (\$475)]” and inserting in lieu thereof “seven hundred dollars (\$700)”,

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 be amended on page 1, in the title, line 7 after the word “ACT” by deleting the following material in its entirety “, [and appropriating forty six thousand nine hundred seventy-eight dollars (\$46,978) to implement this act for biennium starting July 1, 1973.]”, and

Further amend on page 2, section 1, subsection (3), line 1 by striking “[trailers.]” and inserting in lieu thereof “any device or machine which is propelled, whether on land, air or water.”, and

Further amend on page 3, section 3, line 12 after the word and punctuation “following:” by inserting the following new subsection “(1) performance standards for the control of noise;”, and

Further amend on page 3, section 3, line 13 by renumbering the original subsection (1) to read subsection “(2)” and conform numerically, and

Further amend on page 3, section 3, line 15 after the word “or” by striking the words “[permit for]” and inserting in lieu thereof the word “allow”, and

Further amend on page 3, section 3, line 18, by renumbering the original subsection (2) to read subsection “(3)” and conform numerically, and

Further amend on page 3, section 3, line 25, by renumbering the original subsection (3) to read subsection “(4)” and conform numerically, and

Further amend on page 4, section 3, line 3, by deleting the existing subsection (4) in its entirety, as follows “[ (4) spill over provisions considering noise only to the extent that it spills over a property line.]”,

And further amend on page 4, section 3, line 8, by striking the existing subsection (6) in its entirety, as follows “[ (6) antidegradation provisions restraining noise makers from raising their noise output to the maximum allowable limit.]”, and

Further amend on page 4, section 3, line 11, by renumbering the original subsection (7) to read subsection “(6)” to conform numerically, and

Further amend on page 4, section 3, line 13, by renumbering the



original subsection (8) to read subsection "(7)" to conform numerically, and

Further amend on page 4, section 3, line 21, by renumbering the original subsection (9) to read subsection "(8)" to conform numerically, and

Further amend on page 5, section 4, line 2 by striking the existing subsection (2) in its entirety, as follows "[ (2) A person who operates a motor vehicle, or owns a motor vehicle which he permits to be operated upon a public highway or public land or public waters of this state, which generates noise in excess of the standards adopted by the department is guilty of a misdemeanor.]",

Further amend on pages 5 and 6 by renumbering subsequent subsections to therefore conform numerically, and

Further amend on page 6, section 4, subsection (c), line 5 by striking "[action for penalty, either]" and inserting in lieu thereof "actions," and

Further amend on page 8, section 7, line 8 after the word and punctuation "residence." by striking the following sentence in its entirety "[A person violating this section is guilty of a misdemeanor.]", and

Further amend on page 8, section 8, line 16 after the word "standards" by inserting "at least equal to standards established", and

Further amend on page 9, section 10, subsection (1), line 7 after the word "offense" by striking the following material "[, or the department may institute a civil action for the determination and collection of the penalties. The court attorney of the county of violation, or the attorney general, shall bring such action in the name of the state, on request of the department]", and

Further amend on page 10, line 3, by striking section 12 in its entirety, as follows: "[Section 12. Forty six thousand nine hundred seventy-eight dollars (\$46,978) is appropriated from the general fund for the purpose of paying salaries, administrative expenses and other costs necessary to carry out the provisions of the act during the biennium starting July 1, 1973.]",

And, as amended, do pass.

(Material brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

#### MESSAGES FROM THE GOVERNOR

February 10, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana  
Dear Mr. Speaker:

I have the honor to inform you that I this day approved House Bill No. 31.

Sincerely,  
THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

## MESSAGES FROM THE OTHER HOUSE

February 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 95, introduced by Turnage, Groff, et al  
Senate Bill No. 200, introduced by Himsl, Mathers, et al  
Senate Bill No. 259, introduced by Carl, Rosell and James  
Senate Bill No. 273, introduced by Gilfeather  
Senate Bill No. 274, introduced by Gilfeather  
Senate Bill No. 286, introduced by Hazelbaker  
Senate Bill No. 287, introduced by Hazelbaker  
Senate Bill No. 297, introduced by Boylan, Breeden, and McOmber  
Senate Bill No. 334, introduced by Hazelbaker  
Senate Bill No. 372, introduced by Gilfeather, Devine and Hall  
Senate Joint Resolution No. 9, introduced by Bollinger and Nees  
Senate Joint Resolution No. 26, introduced by McOmber and McCallum  
Senate Joint Resolution No. 38, introduced by McDonald, James, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed on a roll call vote to appoint a Free Conference Committee to confer on House amendments to Senate Bill No. 16.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate  
February 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day appointed the following Senators to a Conference Committee on House Joint Resolution No. 10.

Senator Hall, Chairman  
Senator Keenan  
Senator Rosell

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 29, introduced by Lucas &amp; Shelden (by request)

House Bill No. 30, introduced by Lucas &amp; Shelden (by request)

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

## MOTIONS AND RESOLUTIONS

H. Harper having voted on the prevailing side in adopting an adverse committee report on House Bill No. 368, moved that House Bill No. 368 be reconsidered.

Motion carried.

Harper moved that House Bill No. 368 be printed and placed on Second Reading.

Motion carried.

Ulmer moved that House Bill No. 123 be taken from Committee on Education and be printed and placed on Second Reading. Ulmer requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Bardanoue, Burnett, Driscoll, Lien, Selstad. Total 5.

Excused: Aageson, Barrett, Hager, Marbut, Walborn, Zimmer. Total 7.

Absent or not voting: None.

Paired: Ellerd, aye; Burnett, nay; Cox, aye, Selstad, nay.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 9, introduced by Bollinger, Nees: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Montana Agricultural Stabilization and Conservation State Committee to effect immediate, sharp, downward adjustments in Montana's conserving base acres to provide a reliable feed supply at stable cost for Montana's livestock industry, to strengthen Montana's livestock feeding industry, to improve the statewide economy and to correct wastage of soil and water by erosion and saline seep. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Joint Resolution No. 26, introduced by McOmber and McCallum: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting the Congress and the President of these United States to establish a national rabies wildlife research program to provide protection to the citizens of Montana and other states. Referred to Committee on Fish and Game.

Senate Joint Resolution No. 38, introduced by McDonald, James, McOmber, McGowan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from Montana, and the Honorable John Melcher and the Honorable Richard Shoup, representatives from Montana, requesting the Montana Congressional Delegation to urge the appropriate agencies of the United States Government to fulfill their responsibility to reconstruct the access roads to missile sites in the nine (9) county missile complex area to bring said roads into compliance with essential minimum standards of safety. Referred to Committee on Highways and Transportation.

Senate Bill No. 95, introduced by Turnage, Groff, Moore, McKeon, Lynch: A bill for an act entitled: "An act to amend the unit ownership act to provide that lessees of a condominium unit may be treated as owners and to provide for sale of units before construction to be under the control of the Department of Business Regulations amending Section 67-2302 through 67-2305, 67-2314, 67-2319, 67-2322 and 67-2323, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 200, introduced by Himsl, Mathers, Thiessen, Bertsche: A bill for an act entitled: "An act amending Section 82A-404, R.C.M. 1947, to abolish the Board of Trade and transfer its functions to the Department of Business Regulation; and repealing Sections 27-301 through 27-317, 70-201 through 70-233, and Section 82A-405, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 259, introduced by Carl, Rosell, James: A bill for an act entitled: "An act amending Sections 82A-202 and 82A-1202, R.C.M. 1947, transferring the functions of the State Building Code Council from the Department of Law Enforcement and Public Safety to the Department of Administration." Referred to Committee on State Administration.

Senate Bill No. 273, introduced by Gilfeather: A bill for an act entitled: "An act to amend Section 75-7116, R.C.M. 1947, to remove the taxpayer status as a requirement to vote in school district bond elections." Referred to Committee on Education.

Senate Bill No. 274, introduced by Gilfeather: A bill for an act entitled: "An act to amend Sections 74-5914 and 75-5915, R.C.M. 1947, to allow write-in voting and elections on a regular school election day for first class school district trustee elections." Referred to Committee on Education.

Senate Bill No. 286, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 82A-1207, R.C.M. 1947, by providing that the Board of Crime Control shall have the authority to establish minimum qualifying standards for employment of peace officers, require basic training for such officers, establish minimum standards for equipment and procedures and for advanced in-service training for such officers and establish minimum standards for any law enforcement training schools administered by the state or any of its political subdivisions or agencies; and providing an effective date." Referred to Committee on Local Government.

Senate Bill No. 287, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 16-3705, R.C.M. 1947, providing that no person shall be appointed a special deputy sheriff, marshal, or police-



man who does not meet the minimum qualifying standards for employment promulgated by the Board of Crime Control." Referred to Committee on Local Government.

Senate Bill No. 297, introduced by Boylan, Breeden, McOmber: A bill for an act entitled: "An act designating the Department of Health and Environmental Sciences as the agency to administer state funds to be used for aiding local governments which were not entitled to state matching funds under the provisions of Section 69-4808.1, R.C.M. 1947, for construction of water pollution control facilities." Referred to Committee on Local Government.

Senate Bill No. 334, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 44-411, R.C.M. 1947, to transfer the responsibility for indexing the laws of Montana from the law librarian to the legislative services division of the Legislative Council; and repealing Section 44-412, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 372, introduced by Gilfeather, Devine, Hall: A bill for an act entitled: "An act to amend Section 16-1008A, R.C.M. 1947, to allow the county commissioners and five (5) lay members appointed by them to manage county buildings and improvements." Referred to Committee on Local Government.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 156 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Asbjornson, Burnett, Forsgren, Holtz, Kessner, Kvaalen, Lundgren, Olson, Rolfe, Seifert, Selstad, Smith, Turner, Ulmer. Total 14.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Walborn, Zimmer. Total 10.

Absent or not voting: East, Hubing, McKittrick, Marks, Mercer. Total 5.

House Bill No. 214 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Asbjornson, Bell, Brown, Burnett, Cambell, Castles, Clemow, East, Flynn, Forsgren, Hager, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lundgren, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith. Total 27.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Marbut, Walborn, Zimmer. Total 8.

Absent or not voting: Manuel. Total 1.

Paired: Kolstad, aye, Lockrem, nay; Hager, aye, Mehrens, nay.

House Bill No. 225 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Bell, Brand, Burnett, Holtz, Kessner, Kvaalen, Rolfe, Selstad, Smith. Total 9.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 9.

Absent or not voting: East, Lundgren. Total 2.

House Bill No. 333 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lien, Lockrem, Lundgren, McKittrick, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Ainsworth, Asbjornson, Brand, Burnett, East, Flynn, Healy, Hubing, Jones, Laas, Lee, Lombardi, Lucas, Lund, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Quilici, Smith, Warfield. Total 23.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: None.

House Bill No. 350 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Ainsworth, Olson, Selstad, Smith. Total 4.

House Bill No. 373 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Clemow, Flynn, Kessner, Selstad. Total 4.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Burnett, Smith. Total 2.

House Bill No. 426 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 87.

Noes: Yardley. Total 1.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Hall. Total 1.

House Bill No. 477 was passed by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Asbjornson, Bardanouve, Bennetts, Brand, Burnett, East, Flynn, Holtz, Hubing, Lund, Olson, Smith, Staigmillier, Turner, Watt. Total 15.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Greely, Kendall, Selstad. Total 3.



House Bill No. 480 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Bell, Seifert, Selstad, Smith. Total 4.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Laas, Turner. Total 2.

House Bill No. 491 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Brand, Brown, Burnett, East, Holtz, Hubing, Jones, Lundgren, Tierney. Total 9.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Bell, Fleming, Kimble, Nichols, Selstad. Total 5.

House Bill No. 504 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: East. Total 1.

Excused: Aageson, Barrett, Cox, Ellerd, Galt, Hager, Kolstad, Marbut, Schye, Walborn, Zimmer. Total 11.

Absent or not voting: Bell. Total 1.

House Bill No. 534 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing,



Huenekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Watt, Mr. Speaker. Total 70.

Noes: Brand, Burnett, Flynn, Forsgren, Hager, Holtz, Jacobsen, Jones, Lien, Lockrem, Lundgren, Menahan, Seifert, Selstad, Shelden, Tierney, Ulmer, Warfield, Yardley. Total 19.

Excused: Aageson, Cox, Barrett, Ellerd, Galt, Marbut, Schye, Walborn, Zimmer. Total 9.

Absent or not voting: Bardanouve, Kosena. Total 2.

Paired: Hager, nay, Mercer, aye; Kolstad, aye, Lockrem, nay.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That House Bill No. 167 do pass (76-0).

That House Bill No. 402 be amended in the title on page 1, line 8 after the word "sources" by deleting the punctuation mark "[.]" and inserting in lieu thereof the new material "amending section 93-701-4, R.C.M. 1947." (71-1)

And further amend Section 1 on page 1 by deleting everything after the enabling clause and inserting in lieu thereof a new section reading as follows:

Section 1. Section 93-701-4, R.C.M. 1947 is amended to read as follows:

93-701-4 (10536) Persons in certain relations cannot be examined. There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person cannot be examined as a witness in the following cases:

1. A husband cannot be examined for or against his wife without her consent; nor a wife for or against her husband without his consent; nor can either, during the marriage or afterward, be, without the consent of the other, examined as to any communication made by one to the other during the marriage; but this exception does not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other.

2. An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional employment.

3. A clergyman or priest cannot, without the consent of the person making the confession, be examined as to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs.

4. A licensed physician or surgeon cannot, without the consent of his patient, be examined in a civil action as to any information acquired

in attending the patient, which was necessary to enable him to prescribe or act for the patient.

5. A public officer cannot be examined as to communications made to him in official confidence, when the public interest would suffer by the disclosure.

6. Any person engaged in teaching psychology in any school, or who acting as such is engaged in the study and observation of child mentality shall not without the consent of the parent or guardian of such child being so taught or observed testify in any civil action as to any information so obtained.

7. A counselor, psychologist, nurse, or teacher, employed by an educational institution, cannot be examined as to communications made to him in confidence by a duly registered student of such institution, provided however, that this provision shall not apply where consent has been given by the student, if not a minor, or if he is a minor, by the student and his parent or legal guardian.

8. A publisher, editor, reporter or other person connected with or employed upon a newspaper, or by a press association or wire service, or any person who has been so connected or employed, cannot without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he be adjudged in contempt by a court, the legislature or any administrative body for refusing to disclose the source of any information procured while so connected or employed for publication and published in a newspaper.

Nor can a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, without his consent be examined as to any communication made to him in confidence for the purpose of proper publication nor shall he be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television.”, and (76-1)

As amended, do pass (59-31).

That House Bill No. 552 do pass (72-0).

That House Bill No. 149 do pass (76-0).

That House Bill No. 169 do pass (74-0).

That House Bill No. 189 do pass (46-37).

That House Bill No. 200 do pass (67-6).

That House Bill No. 215 be passed for the day.

That House Bill No. 216 be passed for the day.

That House Bill No. 241 do pass (46-42).

That House Bill No. 249 do pass (76-2).

That House Bill No. 255 do pass (75-3).

That House Bill No. 261 be amended in Section 2, subsection (1), page 2, line 4 after the word “detect” by striking the following material: “[birth defects, mental retardation, or handicapped condition]”, and inserting in lieu thereof the following material: “inborn metabolic errors”,

And as amended, do pass (76-0).

That House Bill No. 262 be amended in Section 3, page 3, line 15 after

the word "syphilis" by deleting the following material "[and other venereal diseases]",

And further amend on page 3, section 3, line 16; after the word "immunity," by striking the following material "[and blood group, including ABC (bandsteiner blood type designation O, A, B, AB) and RH (OE) type]",

And as amended, do pass (74-0).

That House Bill No. 263 be amended in Section 1, subsection (2), page 1, line 22, after the word "syphilis" by striking the following words: "[or other venereal diseases]",

And as so amended, do pass (77-0).

That House Bill No. 279 be amended in the title, page 1, line 10 of the second reading bill by inserting after the word "ACT" the words "and providing an effective date", , (53-15).

And further amend in Section 3, page 4, line 8 of the second reading bill, insert the words "Section 4. This act shall become effective on January 1, 1974", (58-13).

And as amended, do pass (75-4).

That House Bill No. 344 do pass (62-20).

That House Bill No. 357 do pass (47-19).

That House Bill No. 358 do pass (73-4).

That House Bill No. 386 be passed for the day.

That House Bill No. 400 do pass (77-0).

That House Bill No. 405 be passed for the day.

That House Bill No. 406 do pass (73-1).

That House Bill No. 409 be passed for the day.

That House Bill No. 429 be passed for the day.

That House Bill No. 435 do pass (62-9).

That House Bill No. 444 do pass (73-1).

That House Bill No. 471 do pass (71-0).

That House Bill No. 486 do pass (73-0).

That House Bill No. 488 be amended on page 1, line 23, by striking the word "[on]" and inserting in lieu thereof the word "an", and as amended do pass. (63-1).

That House Bill No. 488 do pass (47-26).

That House Bill No. 523 do pass (69-2).

That House Bill No. 543 do pass (68-5).

That House Bill No. 562 be amended in Section 1, sub-section (5), page 3, line 1, by adding the words "licensed or" following the word "dams". (56-2)

And be further amended in Section 11, line 13, page 6 of the original and second reading bill by striking the words "[Consulting Board]." and substituting the word "Consultants."

And further amend Section 11, line 17, page 6 by striking the words "[a consulting board of]", and

Further amend Section 11, line 20, page 6 by striking the word "[a]",

And further amend Section 11, line 21, page 6 by striking the words "[consulting board]" and substituting the words "such consultants,"

And further amend Section 11, line 21, page 6 by adding after the word "owner" a comma. (62-0)

And as amended, do pass (42-37).

That House Resolution No. 10 be adopted (72-2).

That House Joint Resolution No. 15 do pass (46-14).

That House Joint Resolution No. 30 do pass (44-28).

That House Bill No. 424 be passed for the day.

That House Bill No. 470 be passed for the day.

That Senate Amendments to House Bill No. 29 be concurred in (68-4).

That Senate Amendments to House Bill No. 30 be concurred in (56-10).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

LOCKREM, Chairman

Report adopted.

#### REPORTS OF STANDING COMMITTEES

February 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 122, 496.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 199, 160, 260, 288, 294, 300, 325, 335, 343, 349, 364, 512, 544.

QUILICI, Chairman

February 12, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

SHELDEN, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162, be amended on page 1, section 2, line 14, after the word "Montana", by striking the words "[that a public trust exists in]" and inserting in lieu thereof the following, "to preserve and protect", and

Be further amended on page 2, section 3, subsection 1, line 6, by striking the words "[and the public trust therein.]", and



Be further amended on page 2, section 3, after line 17, by adding a new subsection "(c)" to read as follows: "(c) Except as herein above provided, compliance with any law of this state or rule and regulation of an administrative board shall be an absolute defense under this act.", and

Be further amended on page 2, section 4, line 18 through 23, by striking it in its entirety and inserting in lieu thereof this new section, "Section 4. Upon granting an injunction or restraining order, the court may require, except when the state, any political subdivision of the state, or any instrumentality or agency of the state or of a political subdivision thereof, is a party plaintiff, a written undertaking on the part of the plaintiff, with sufficient sureties, to the effect that the plaintiff will pay to the party enjoined and all other persons damaged thereby, such damages, not exceeding an amount to be specified, as such party and other persons may sustain by reason of the injunction, if the court finally decides that the plaintiff was not entitled thereto.

The provisions of R.C.M. 1947, 93-4207 for excepting to the sufficiency of sureties shall apply to injunctive actions brought under this Act.", and

Be further amended on page 2, section 5, subsection 1, lines 24 and 25, and on page 3, lines 1, 2, 3, and 4, by striking these lines in their entirety and inserting in lieu thereof the following: "Section 5. (1) (a) Proof of noncompliance with any statute or regulation on damage to the environment shall constitute prima facie evidence that the defendant is causing or is about to cause damage to the environment.", and

Be further amended on page 3, section 5, subsection 1, line 5 before the word "The" by inserting the subsection letter (b); and further amend on line 5 by striking the word "[also]", and

Be further amended on page 3, section 5, subsection 3, lines 19 and 20, by striking it in its entirety and inserting in lieu thereof the following: "(3) The prevailing party may recover the damages which he has sustained, as found by the court, jury or referee presiding, including court costs, expert witness fees, and attorney fees; and for such damages an execution may issue.

Provided, however, that in all cases where an officer of the state, or any instrumentality, agency or subdivision thereof, is a party, all damages and costs, or either, which may be recovered or awarded against the state, or any instrumentality, agency, or subdivision thereof, represented by such officer, and not against such officer so appearing in said proceeding and the same shall be a proper claim against the state, or any instrumentality, agency or subdivision thereof for which such officer shall have appeared, and shall be paid as other claims against the state, instrumentality, agency or subdivision are paid; but in all such cases, the court shall first determine that the officer appeared or made defense in such proceeding in good faith.", and

Be further amended on page 3, section 6, subsection 1, lines 24 and 25, by striking the words "[or the public trust therein]", and

Be further amended on page 4, section 6, subsection 2, lines 6 and 7, by striking the following words "[or the public trust therein]", and

Be further amended on page 4, section 6, subsection 3, line 16, by striking the following words "[and on the public trust therein]", and

Be further amended on page 5, section 7, subsection 1, on lines 10 and 11, by striking the following words "[or the public trust therein]", and

Be further amended on page 5, section 7, subsection 2, lines 15 and 16, by striking the following words "[or the public trust therein]".

And as amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 be amended on page 1, line 5, in the title after the word "scenic" by adding ", natural", and

Further amend on page 1, line 6, in the title after the word "waterways" by adding ", setting forth procedures for future classification of state waterways and providing an effective date", and

Be amended by striking in its entirety all of the material following the enacting clause beginning on page 1, line 10 through page 9, line 22, and inserting in lieu thereof the following new material,

"Section 1. This act shall be known as "The Montana Wild, Scenic, Natural and Recreational Waterways Act of 1973." Rivers of Montana possess outstanding scenic, recreational, geological, fish and wildlife, botanical, historical, archaeological and other scientific and cultural values of great present and future benefit to the people. The state of Montana further finds that the unnecessary construction and development on many of the rivers of Montana need to be complemented by preservation of valuable selected rivers or sections thereof in their free-flowing, natural and scenic condition and protection of the general quality of the Montana environment. It is therefore policy of the legislative assembly to preserve and, if necessary, reclaim selected parts of Montana's diminishing resources of free-flowing, unpolluted rivers. It is the intent of this act to establish a Montana wild, scenic, natural and recreational waterways system by prescribing the procedures and criteria for inclusion of rivers in the system and for protecting and managing the system. It is not the intent of this act to require or to authorize acquisition of all lands or interest in lands within the exterior boundaries of the river areas; however, it is the intent to assure preservation of the scenic ecological and other values and to provide proper management of the recreational, wildlife, water and other resources by regulation of uses.

Acquisition of essential access sites from willing sellers is appropriate. The power of eminent domain shall not be used to acquire lands. It is the intention of this act that in all planning for the use and development of water and related land resources, consideration shall be given by all local, state and federal agencies involved to potential scenic river areas, and all river basin and project plan reports should discuss any such potential. Development and existing uses including, but not limited to, farming and ranching of lands within the system shall be encouraged to continue.

Section 2. As used in this act, unless the context requires otherwise:

- (1) "Commission" means the state fish and game commission.
- (2) "Director" means the director of the department of fish and game.
- (3) "River" means a flowing body of water or a section, or tributary thereof, including rivers, streams and creeks.
- (4) "Waterway" means a river or segment of a river and its related adjacent land designated as such in accordance with this act which has been made a part of the system.
- (5) "Free-flowing" as applied to a river or section of river, means existing or flowing in natural condition, without impoundment, diversion,

straightening, or other man-made modification of the waterway. The existence, however, of low dams, diversion works, riprap, and other minor structures at the time any river is considered for classification does not automatically disqualify it as a free-flowing river.

(6) "Road" means a highway, a hard surfaced road or an improved dirt road. The existence, however, of unimproved roads at the time any river is proposed for inclusion in the waterways system shall not automatically bar its consideration for such inclusion. This meaning does not authorize or encourage future construction of such roads contrary to the provisions of this act.

(7) "Visual horizon" means the normal distance to which land and vegetative features can be unobstructively viewed from the river.

(8) "Access point" means an area along the river under public ownership available for public recreational use including, but not limited to, the launching of boats, picnicking and camping.

(9) "Exterior boundaries" means the distance defined by this act which will be under management.

(10) "System" means the Montana wild, scenic, natural and recreational waterways system, as defined by this act.

Section 3. The following types of rivers and adjacent areas are eligible for inclusion in the system as a waterway in which they will be administered in accordance with the following criteria:

(1) Wild river waterways comprise those free-flowing rivers or sections of rivers with shorelines and scenic vistas unchanged, or essentially unchanged, by man, with no extensive paralleling roads closer than one (1) mile (except in river gorges where there must be no extensive paralleling roads within the gorge or within one-quarter ( $\frac{1}{4}$ ) mile back from the gorge rim), and with only a limited number of crossing roads or spur roads existing at the time of designation as a state wild river waterway.

(2) Scenic river waterways comprise those free-flowing rivers or sections of rivers and the lands adjacent to which are partially or predominantly used for agriculture and other dispersed human activities which do not substantially interfere with public use and enjoyment of the rivers and their shores.

(3) Natural river waterways comprise those free-flowing rivers or sections of rivers lying predominantly on private lands existing at the present time in a state of harmony and stability with present agricultural, grazing and recreational use.

(4) Recreational river waterways comprise those free-flowing rivers or sections of rivers in areas affected by the works of man, including those in areas wherein there is a controlled high density of man-made structures and/or uses normally defined as that portion of the river bounded by the corporate limits of a city or municipality, but which still possess actual or potential scenic values. Included would be rivers with some housing or other building developments near their shorelines, rivers with parallel roads or railroads, and rivers with some impoundments.

Section 4. The director shall, within one (1) year after a river or segment of a river had been made a waterway of the system, unless provided otherwise by the legislative assembly, adopt a management plan for the area and determine the boundaries. Establishment of these boundaries shall be determined according to river waterway classification as follows:

(1) For wild river waterways, the boundary shall be the visual horizon, where practicable, not to exceed one (1) mile from the shoreline of



the river, and shall extend at least one thousand (1,000) feet from the shoreline and shall include those other adjacent lands, the use of which materially affects or could affect the aesthetic or ecological quality of, or defile, the immediate environment or detract from the natural beauty of the area. Pending determination of the final boundaries, all lands within one thousand (1,000) feet of the shoreline shall constitute the particular waterway boundary and shall be administered accordingly.

(2) For scenic river waterways, the boundary shall be the visual horizon, where practicable, not to exceed five hundred (500) feet and not less than fifty (50) feet from the shoreline, and may also include those adjacent areas, the use of which materially affects or could affect the aesthetic or ecological quality of, or defile, the immediate environment or detract from the natural beauty of the waterway. Pending determination of the final boundaries as set out above, all lands within five hundred (500) feet of the shoreline at low water shall constitute the particular waterway boundary and shall be administered accordingly.

(3) For natural river waterways, the boundary shall extend five hundred (500) feet from the shoreline of the river. Additional scenic easements outside the above boundary may be acquired from willing sellers where appropriate. Lands necessary for access or camping may be acquired from willing sellers where such development does not affect the scenic quality or ecological stability of the area.

(4) For recreational river waterways, the boundary shall be the visual horizon, where practicable, and shall extend at least fifty (50) feet from the shoreline.

Section 5. In addition to the rivers and adjacent areas included from time to time as waterways by the legislative assembly in the system, the following river is designated a waterway to be administered under the provisions of this act, being classified by the criteria of section 3:

1. The Missouri River in Montana, as follows:

- (a) Fort Benton to Haystack Butte, as a recreational waterway
- (b) Haystack Butte to Deadman Rapids, as a wild waterway
- (c) Deadman Rapids to Holmes Rapids, as a recreational waterway
- (d) Holmes Rapids to Heller Bend, as a wild waterway
- (e) Heller Bend to Rocky Point Township, as a scenic waterway.

Section 6. The director shall study and, from time to time, submit to the legislative assembly proposals for additions to the system, of rivers and segments of rivers which, in his judgment, fall within one or more of the categories set forth which may include proposed management guidelines and boundaries. Each proposal shall specify the category of the proposed addition and shall be accompanied by a detailed report on the factors which make the area a worthy addition to the system. In preparation of such proposals, the director shall consult with interested citizen groups and other departments of the state of Montana which have jurisdiction or interests over rivers being considered.

Section 7. (1) The commission may adopt regulations and management plans governing the management of waterways in accordance with the objectives and guidelines stated in section 8 of this act and in harmony with compatible agricultural, forestry and other land uses after consultation with the department of natural resources and conservation, the department of health and environmental sciences, and the environmental quality council.

(2) The waterways systems shall be administered by the director according to the policies and guidelines set forth in this act, regulations



promulgated by the commission, and management plans adopted for each river or segment of river in the system. Primary emphasis in the management of the waterway shall be given to maintaining the free-flowing character of the rivers and to preserving the ecological systems and the aesthetic, scenic, botanical, fish and wildlife, historic, scientific, and archaeological and recreational features, based upon the special characteristics of each waterway.

(3) The commission shall hold public hearings on all proposed management plans on rivers or segments of rivers prior to classification of designated waterways, and for changes in classifications of designated waterways.

(4) Hearings provided for in subsection three (3) of this section relating to designation or classification of waterways shall be held in the county or counties where the rivers or segments to be designated or classified are located. Notice of the hearing must be made one week for three (3) consecutive weeks in at least one (1) newspaper of general circulation in the county or counties where the waterways to be affected are located, the last publication of which shall be not less than ten (10) days prior to the date set for hearing. Additional notice by local radio and television stations shall be given where necessary to provide adequate public notice of the hearings.

(5) The director will provide for meetings with representatives of the department of natural resources and conservation, the department of health and environmental sciences, and the environmental quality council to collect and evaluate available information with respect to existing classification of waters for beneficial uses and water quality standards or regulations. The department of natural resources and conservation, the department of health and environmental sciences, and the environmental quality council shall provide technical assistance and support to the director and the commission to the extent practicable.

Section 8. The land uses to be allowed within the exterior boundaries of a waterway shall depend upon the classification of each respective area as set out below:

(1) In wild river waterways, travel on adjacent lands shall be limited to non-mechanized travel on trails. No new roads or buildings shall be constructed, and there shall be no mining or commercial timber harvest. Agricultural and related uses shall be allowed to continue. Expansion of agriculture uses shall be allowed, if consistent with the purposes of this act.

(2) In scenic river waterways, travel shall be limited to methods which do not detract from the purposes of this act. Waters shall be kept unpolluted. Lands within the exterior boundaries shall remain primarily in the type of use existing at the time of designation or would be allowed to revert to natural conditions. Continuation of present agricultural and related uses shall be allowed. Expansion of agricultural and related uses shall be allowed when this would not violate the purposes of the act. The construction of agricultural use buildings shall be permitted. There shall be no mining, commercial timber harvest or construction of roads paralleling the river.

(3) In natural river waterways, there shall be no subdivision that does not exist at the time of classification. Buildings other than those accommodating existing land uses shall be designed and constructed to conform to the existing surroundings. Continuation of agricultural and related uses shall be allowed. Expansion of agriculture and related uses shall be allowed. Mining and timber harvest shall be allowed under rules and regulations adopted under section 7 of this act.

(4) In recreational river waterways, all uses shall be permitted which

do not alter substantially the streambanks, or free-flowing aspects of the river or segments of the river. These waterways shall be managed to prevent further loss of scenic or recreational values, to improve the scenic aspects of their surroundings, and to restore the quality of the waters.

Section 9. Whenever in the judgment of the director a river area previously administered as a scenic waterway, a natural waterway, or a recreational waterway has been sufficiently restored and enhanced in its natural scenic qualities in whole or in part, the whole area or part area may be submitted to the legislative assembly for classification to a higher status. No waterway shall be managed in a manner that would result in the area falling into a lower classification.

Section 10. If any standard or regulation adopted hereunder conflicts with a different standard or regulation of use established or adopted by any law or regulation of any municipal, county, state or federal agency, the more restrictive or stringent standard for the protection and preservation of the waterway shall apply.

Section 11. The commission may enter into cooperative agreements for joint federal-state administrative of rivers administered under federal law. The director is authorized to use moneys made available to it for administrative of this act by federal, private or other sources.

Section 12. Where circumstances warrant on any river classified under this system, the commission may limit recreational use by a permit system without fee.

Section 13. Nothing in this act shall preclude a private landowner holding lands within a waterway from protecting his lands by any legal means including, but not limited to, posting or enforcement of the trespass laws.

Section 14. Five (5) years after addition of a river or segment of a river to the system as a waterway, the director shall study the waterway reevaluating the uses being made of the waterway to determine if a new or other existing use should be allowed in the waterway. The director shall report his findings to the legislative assembly within six (6) months thereafter.

Section 15. Nothing in this act affects the jurisdiction or responsibility of other state agencies, except that such state agencies shall endeavor to perform their responsibilities in a manner consistent with the purposes of this act.

Section 16. Nothing in this act shall in any way interfere with existing water rights, diversions or maintenance of those diversions.

Section 17. The legislature intends that if any portion of this act is held to be unconstitutional, such holding shall not affect the remaining provisions.

Section 18. This act is effective on its passage and approval.  
And as amended, do pass.

SHELDEN, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., February 13, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 13, 1973

House convened, pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Cox, Ellerd, Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 37th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

February 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 149, 167, 169, 189, 200, 241, 249, 252, 255.

FLEMING, Vice-Chairman

February 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 21, 176, 266, 287, 296, 298, 374, 425, 439, 458, 468, 472, 479, 482, 492, 520, 551, House Resolution No. 8, House Joint Resolutions Nos. 14, 34, 37.

FLEMING, Vice-Chairman

February 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 121, 128, 304, 372, 441, 465.

FLEMING, Vice-Chairman

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 573, respectfully report as follows: That House Bill No. 573 do pass.

BRAND, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 571, respectfully report as follows: That House Bill No. 571 be amended on page 2, Section 2, line 14, after the word "twenty" by inserting the figure "(20)", and

Further amend on page 21, Section 12, Subsection (7), line 10, after the word "each" by striking the word "[each]" and inserting in lieu thereof the word "state",

And, as amended, do pass.

BRAND, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

BRAND, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 577, respectfully report as follows: That House Bill No. 577 be held over until the second half of the 43rd Legislative Session in January, 1974.

BRAND, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 be amended on page 2, Section 1, line 1, after the word and punctuation "large," by deleting the following: "[Two (2) members of the board shall represent the public and one (1) shall be directly associated with the electrical industry.]" and inserting in lieu thereof the following: "One (1) member of the board shall represent the public.", and

Further amend on page 2, Section 1, Subsection (2), line 7, after the word "licensed" by deleting "[electricians]" and inserting in lieu thereof the words "electrical contractor", and

Further amend on page 2, Section 1, line 21, after the word and punctuation "member." by deleting the following material: "[A member of the board shall qualify by taking the oath of office required of civil officers and shall hold the office until his successor is appointed and qualified.]", and

Further amend on page 2, Section 1, line 25, after the word "receive" by striking the word "[thirty]" and inserting in lieu thereof the word "twenty-five", and

Further amend on page 2, Section 1, line 25, after the word "dollars" by striking the figure "\$30" and inserting in lieu thereof the figure "\$20",

And, as so amended, do pass.

BRAND, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.



February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 be amended on page 2, add on line 11, the following material:

"Section 4. This act is effective on June 30, 1973."

And, as so amended, do pass.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 12, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 be held over until the second half of the 43rd Legislative Session in January, 1974.

LAAS, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having

had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do pass.

BRAND, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 549, respectfully report as follows: That House Bill No. 549 do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 be held over until the second half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 466, respectfully report as follows: That House Bill No. 466 do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 do not pass.

GUNDERSON, Chairman

Report adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Campbell, Castles, Clemow, Colberg, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Towe, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Baucus, Bennetts, H. Harper, Kimble, Lynch, Marbut, Tierney, Turman, Ulmer. Total 9.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Bardanouve, Brown, Burnett, Cotton, Driscoll, Edland, Galt, Kvaalen, Lundgren, McKittrick, Watt. Total 11.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 442, respectfully report as follows: That

House Bill No. 442 be amended in the key line on page 1, line 4, by adding the code "75-8309", and

Be further amended in the title on page 1, line 7, after the code "75-8308", by inserting the following: "and 75-8309", and

Be further amended in Section 13, page 4, line 19, after the code "75-8308", by inserting the following: "and 75-8309",

And, as so amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 be held over until the second half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 be held over until the second half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be amended in Section 2, page 1, line 16, after the word "members," by striking words: "[To this end it is recommended that there]", and inserting in lieu thereof the words: "There shall", and

Be further amended in Section 2, page 1, line 19, after the word "employees" by striking the following material: "[with such evaluation procedure to be developed cooperatively by the instructional staff, administration, and governing board]", and inserting in lieu thereof the following material: "The evaluation procedure shall be developed by the board of trustees of each public school district only after formally consulting the school district's professional employees."

And, as so amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 564, respectfully report as follows: That House Bill No. 564 be held over until the second half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 563, respectfully report as follows: That House Bill No. 563 be held over until the second half of the 43rd Legislative Session in January, 1974.

FLEMING, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do not pass.

FLEMING, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Campbell, Clemow, Cotton, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stoltz, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 74.

Noes: Bardanouve, Gunderson, Kosena, Lynch, Tierney. Total 5.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Bradley, Brown, Burnett, Castles, Colberg, Driscoll, Edland, Huennekens, Johnston, Jones, Lockrem, Lundgren, McKittrick, Shelden, Stephens, Swanberg, Towe, Watt. Total 18.

February 13, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do pass.

FLEMING, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

FLEMING, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having



had under consideration House Bill No. 248, respectfully report as follows:  
That House Bill No. 248 do not pass.

BARDANOUE, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Aageson, Asbjornson, Barrett, Burnett, Campbell, Clemow, Cotton, East, Galt, Hageman, Hager, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lundgren, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Tierney, Walborn. Total 25.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Bell, Driscoll, Edland, Fasbender, Kimble, Stephens, Warfield, Lockrem, Smith. Total 9.

#### MESSAGES FROM THE SENATE

February 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 65, introduced by McKittrick, Kosena, et al, was this day read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

February 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 231, introduced by Hageman, Gunderson, et al .....

House Joint Resolution No. 12, introduced by Manuel, Gunderson, et al.

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

February 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read three several times and passed, title and history agreed to, and the bills are transmitted to the House for concurrence:

Senate Bill No. 154, introduced by Flynn, Deschamps, et al

Senate Bill No. 189, introduced by McKeon, Groff, et al

Senate Bill No. 207, introduced by Carl & Lynch

Senate Bill No. 213, introduced by James

Senate Bill No. 269, introduced by Turnage, Flynn, et al

Senate Bill No. 285, introduced by Hazelbaker

Senate Bill No. 291, introduced by James, Carl and Goodheart

Senate Bill No. 368, introduced by Flynn, Turnage, et al

Senate Bill No. 384, introduced by Broeder, Hall and McOmber

Senate Bill No. 414, introduced by Boylan

Senate Bill No. 435, introduced by Carl

Senate Bill No. 436, introduced by Turnage

Senate Bill No. 437, introduced by McDonald and Deschamps

Senate Bill No. 441, introduced by Turnage

Senate Bill No. 442, introduced by Gilfeather

Senate Joint Resolution No. 19, introduced by Thiessen, Mathers and Bertsche

Senate Joint Resolution No. 34, introduced by Bollinger and Moritz

Senate Joint Resolution No. 36, introduced by Bollinger, Graham and Hazelbaker.

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Bell, having voted on the prevailing side on the previous day on House Bill No. 189, moved that the House reconsider its action, and place House Bill No. 189 back on Second Reading.

Motion carried.

### REPORTS OF STANDING COMMITTEES

February 13, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 33, respectfully report as follows: That House Joint Resolution No. 33 be amended on page 1, line 13, by striking the "[s]" on the word "injections", and striking the comma "[,]" following the word "injections".

And, as amended, do pass.

SHELDEN, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 35, respectfully report as

follows: That House Joint Resolution No. 35 do pass.

SHELDEN, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 555, respectfully report as follows: That House Bill No. 555 do pass.

SHELDEN, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Lynch moved that House Bill No. 189 be taken from Second Reading and be rereferred to Committee on Local Government.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Joint Resolution No. 19, introduced by Thiessen, Mathers, Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Audit Committee to evaluate and report upon the manner in which audits of political subdivisions of the State are accomplished. Referred to Committee on State Administration.

Senate Joint Resolution No. 34, introduced by Bollinger, Moritz: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for the Legislative Council to conduct an interim study on health maintenance organizations for Montana. Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 36, introduced by Bollinger, Graham, Hazelbaker: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requiring the Legislative Administration Committees of the House and the Senate meeting jointly to employ a business manager. Referred to Committee on Legislative Administration.

Senate Bill No. 154, introduced by Flynn, Deschamps, Turnage, Groff: A Bill for an act entitled: "An act to repeal Section 16-4711, R.C.M. 1947, eliminating emergency temporary interim zoning." Referred to Committee on Judiciary.

Senate Bill No. 189, introduced by McKeon, Groff, Turnage, Lynch, McDonald, Harrison, Bollinger, Cochrane, Flynn, Hims: A bill for an act entitled: "An act requiring the office of the Governor to review the executive branch of state government and report to the Legislature." Referred to Committee on State Administration.

Senate Bill No. 207, introduced by Carl, Lynch: A bill for an act entitled: "An act adopting the Western Interstate Nuclear Compact; and appropriating twenty thousand dollars (\$20,000) to pay membership expenses for the biennium beginning July 1, 1973." Referred to Committee on Finance and Claims.

Senate Bill No. 213, introduced by James: A bill for an act entitled: "An act providing for legislative review of administrative rules." Referred to Committee on State Administration.

Senate Bill No. 269, introduced by Turnage, Flynn, Siderius, James,

Moore, Boylan, Lynch: A bill for an act entitled: "An act amending Section 11-3831, R.C.M. 1947, to require that a master plan include a study of available types of new housing." Referred to Committee on Judiciary.

Senate Bill No. 285, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 11-1814, R.C.M. 1947, providing that every police officer shall meet the minimum qualifying standards for employment promulgated by the Board of Crime Control before employment." Referred to Committee on Local Government.

Senate Bill No. 291, introduced by James, Carl, Goodheart: A bill for an act entitled: "An act abolishing the Passenger Tramway Safety Board and transferring its functions to the Department of Fish and Game." Referred to Committee on Fish and Game.

Senate Bill No. 368, introduced by Highways and Transportation Committee (by request): A bill for an act entitled: "An act to amend Section 31-142, R.C.M. 1947, permitting driver's license cancellation for cause." Referred to Committee on Highways and Transportation.

Senate Bill No. 384, introduced by Broeder, Hall, McOmber: A bill for an act entitled: "An act requiring cities and towns making the all-purpose levy to deposit money received from other sources in the all-purpose general fund and requiring that the provisions of the all-purpose levy statutes be construed in conjunction with the Municipal Budget Law." Referred to Committee on Local Government.

Senate Bill No. 414, introduced by Boylan: A bill for an act entitled: "An act providing that in any analysis of raw milk for human consumption, the quantity of "coliform" shall not be used for grading purposes." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 435, introduced by Carl: A bill for an act entitled: "An act amending Section 40-3011, R.C.M. 1947, relating to standard valuation law in life insurance, amending Section 40-38381, R.C.M. 1947, relating to standard nonforfeiture law in life insurance; providing for adoption of annuity mortality tables and permissible interest rates in valuation of annuity and insurance contracts; and providing for an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 436, introduced by Turnage: A bill for an act entitled: "An act to provide for the voluntary payment of personal injury or property damage claims without such payment constituting an admission of liability." Referred to Committee on Judiciary.

Senate Bill No. 437, introduced by McDonald, Deschamps: A bill for an act entitled: "An act amending Sections 69-6004, 69-6005 and 69-6006, R.C.M. 1947, to provide certain notice requirements prior to creation of refuse disposal districts." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 441, introduced by Turnage: A bill for an act entitled: "An act to remove requirements of residency and minority in probate of estates of net value less than ten thousand dollars (\$10,000); and amending Sections 91-5301, 91-5304, 91-5305, 91-5308 and 91-5310, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 442, introduced by Gilfeather: A bill for an act entitled: "An act relating to the conduct of business of cooperative associations; amending Sections 14-203 and 14-216, R.C.M. 1947; repealing Sections 14-217, 14-218 and 14-220, R.C.M. 1947; and providing an effective date." Referred to Committee on Judiciary.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and



history agreed to, were disposed of in the following manner:

House Bill No. 122 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Castles, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Clemow, Ellerd, Galt, Glennen, Hager, Haines, Holtz, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mercer, Olson, Prevost, Schepens, Schye, Seifert, Selstad, Smith, Tierney, Ulmer, Walborn. Total 32.

Excused: Cox, Zimmer. Total 2.

Absent or not voting: Ainsworth, Brown, Kimble, Lien. Total 4.

Paired: Ellerd, no; Warfield, aye.

House Bill No. 205 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Asbjornson, Barrett, Campbell, Clemow, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, Hodges, Hubing, Marks, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmillar, Walborn. Total 21.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Castles, East, Kessner, Lien. Total 4.

House Bill No. 363 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: Burnett. Total 1.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Castles, Lien. Total 2.

House Bill No. 385 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,

Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: East, Galt, Hager, Hodges, Holtz, Hubing, Olson, Rolfe, Selstad, Smith, Turner, Walborn. Total 12.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Lien. Total 1.

House Bill No. 404 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Baucus, Bennetts, Bradley, Colberg, Fagg, Hodges, Huennekens, Johnston, Kimble, Murphy, Norman, Stephens. Total 12.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Fleming, Lien. Total 2.

House Bill No. 408 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Fagg, Lockrem. Total 2.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or Not Voting: Ainsworth, Haines, Turner. Total 3.

House Bill No. 417 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Hall, Halvorson, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick,

Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Ainsworth, Baucus, Gunderson, Greely, H. Harper, R. Harper, Hodges, Kendall, Kessner, Kolstad, Lien, Nichols, Norman, Selstad, Smith, Turner, Walborn. Total 17.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Castles. Total 1.

House Bill No. 436 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: Asbjornson, R. Harper, Menahan, Staigmiller. Total 4.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: None.

House Bill No. 446 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Burnett, Lund, Olson, Selstad. Total 5.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: East, Hubing, Lundgren, Turner, Walborn. Total 5.

House Bill No. 473 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Watt, Yardley. Total 55.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell,



Clemow, East, Fagg, Flynn, Galt, Glennen, Hageman, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Laas, Lockrem, Lucas, Lundgren, Manuel, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmiller, Swanberg, Ulmer, Walborn, Warfield, Mr. Speaker. Total 40.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Castles, Forsgren. Total 2.

House Bill No. 478 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Baeth, Brand, Cotton, Hageman, R. Harper, Huennekens, Lien, Mercer, Shelden, Staigmiller, Towe. Total 11.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Swanberg. Total 1.

House Bill No. 496 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Galt, Lund, Schye, Selstad, Smith. Total 6.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Forsgren, McKittrick, Mehrens. Total 3.

House Bill No. 540 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.



Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Castles, Schye. Total 2.

House Bill No. 556 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kvaalen, Laas, Lien, Lucas, Lund, Lundgren, McKittrick, Marbut, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Baeth, Brand, Burnett, Clemow, East, Flynn, Galt, Hageman, Haines, R. Harper, Healy, Hubing, Jones, Kessner, Kolstad, Kosena, Lee, Lockrem, Lombardi, Lynch, Manuel, Marks, Mehrens, Menahan, Olson, Quilici, Selstad, Smith, Stephens. Total 29.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Greely. Total 1.

House Joint Resolution No. 27 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Burnett, Campbell, Castles, Haines, Holtz, Kessner, Lockrem, Mercer, Olson, Rolfe, Seifert, Selstad, Turner. Total 13.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, East, Edland, Galt, Jones, Lundgren, Schye, Smith. Total 8.

House Joint Resolution No. 31 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Seifert, Smith, Walborn. Total 4.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Clemow, Cotton, Galt, Lundgren, Schye, Ulmer. Total 6.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 29 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hager, Haines, Halvorson, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Burnett, Edland, Greely, Gunderson, Hall, H. Harper, R. Harper, Hodges, Kolstad, Lynch, Marbut, Regan, Selstad, Tierney, Yardley. Total 15.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Fagg, Galt, Hageman, Lundgren, Schye, Ulmer, Walborn. Total 9.

Senate Amendments to House Bill No. 30 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Fagg, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Shelden, Smith, Staigmiller, Stoltz, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Bennetts, Burnett, Fasbender, Greely, Gunderson, Hall, H. Harper, R. Harper, Hodges, Hubing, Lien, Lynch, McKittrick, Prevost, Roberts, Seifert, Selstad, Stephens, Swanberg, Tierney. Total 20.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Campbell, Castles, Clemow, East, Edland, Galt, Lundgren, Schye, Ulmer, Walborn. Total 11.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Baucus in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 215 do pass (82-0).

That House Bill No. 216 do pass (81-2).

That House Bill No. 405 do not pass (55-29).

That House Bill No. 409 do pass (71-16).

That House Bill No. 424 be passed to the bottom of the board.

That House Bill No. 429 be amended in the title on page 1, lines 12, 13 and 14 of the second reading bill, following the words "Chauffeur Licenses", strike the remainder of the material contained therein and insert in lieu thereof the punctuation ".", and (74-0)

Further amend in Section 2, Subsection (d), page 4, lines 16 through 23 of the second reading bill, by striking the Subsection in its entirety, (79-0)

And, as amended, do not pass (61-24).

That House Bill No. 199 be amended in Section 1, page 1, line 20, second reading bill, by adding after the word "the", the following words: "county commissioners and the city or town," (66-0)

And, as amended, do pass (83-2).

That House Bill No. 260 do pass (81-0).

That House Bill No. 470 do pass (74-14).

That House Bill No. 288 do pass (83-1).

That House Bill No. 131 be passed to the bottom of the board.

That House Bill No. 309 do pass (82-0).

That House Bill No. 160 do pass (61-22).

That House Bill No. 310 do pass (73-1).

That House Bill No. 313 do pass (74-0).

That House Bill No. 325 do pass (81-2).

That House Bill No. 335 be amended in Section 3, page 5, Subsection (1), line 3, of the second reading and introduced bill, after the word "research" by deleting the punctuation "[,]" and inserting in lieu thereof the word "and", (81-2)

And further amend on page 5, Section 4, line 3, after the word "research", by deleting the punctuation "[,]", and inserting in lieu thereof the word "and" (79-1)

And further amend on page 13, line 22, by inserting a new Section 11 to read as follows: "The exercise of Department powers: The Department shall exercise its powers in such a manner as to promote the continued conduct of research and development activities and the identification and evaluation of the meteorological, environmental, ecological, agricultural, hydrological, economic, and sociological impacts of this technology in Montana," and

Further amend page 13, line 22, by renumbering the present Section 11 to become "Section 12." (76-3)

And, as amended, do pass (69-9).

That House Bill No. 338 do pass (62-22).

That House Bill No. 342 be amended in Section 1, page 1, line 24 of the original bill by deleting the following words "[penalty for failure to enforce any provision mandamus action by the court.]" and adding after the words "subject to", the words "mandamus action of the court." (77-0)

And, as amended, do pass (73-10).

That House Bill No. 343 do pass (72-20).



That House Bill No. 349 be passed for the day.

That House Bill No. 360 do pass (74-1).

That House Bill No. 364 be corrected in the title by changing the word "proscribe" to read "prescribe",

And, as corrected, do pass (85-1).

That House Bill No. 386 do pass (75-8).

That House Bill No. 487 be amended in the title, page 1, line 7, following the word "A:" by deleting the word "[single]" and inserting in lieu thereof the word "three", and

Further amend in the title, page 1, line 15, following the number "1947" by inserting ", and providing an effective date", (64-18),

Further amend in Section 1(3), page 2, line 5, by deleting Section 1(3) in its entirety and inserting in lieu thereof a new Section 1(3): "(3) Three commissioners shall be elected simultaneously at off-year elections to four (4) year terms. On the effective date of this act, the governor shall appoint to the commission a qualified attorney, economist, and certified public accountant who shall serve until the first off-year election in 1974.", (54-39)

And be further amended in Section 1 (4), page 2, line 8, by deleting Section 1(4) in its entirety; and

Further amend on Section 1(4), page 2, line 8, following the word "remove" by deleting the word "[the]" and inserting in lieu thereof the word "a", and

Further amend in Section 2, page 2, line 20, following the number and punctuation "2." by deleting the word "[The]" and inserting in lieu thereof the word "A", and (51-45)

Further amend in Section 3, page 3, line 8, following the word "board" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and (54-37)

Further amend in Section 4(1), page 3, line 11, following the number and punctuation "(1)" by deleting the word "[The]" and inserting in lieu thereof the word "A", and

Further amend in Section 4(2), page 3, line 25, following the word "of" by deleting the word "[the]" and inserting in lieu thereof the word "a", and

Further amend in Section 4(3), page 4, line 1, following the word "that" by deleting the word "[the]" and inserting in lieu thereof the word "a", and

Further amend in Section 4(3), page 4, line 3, following the word "that" by deleting the word "[the]" and inserting in lieu thereof the word "a", and

Further amend in Section 4(4), page 4, line 8, following the word "to" on line 7, by deleting the word "[the]" and inserting in lieu thereof the word "a" and (51-35)

Further amend in Section 5, page 4, line 13, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 5, page 4, line 14, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 5, page 4, line 17, following the word "the" by deleting the word "[commissioner's]" and inserting in lieu thereof the word "commission's", and



Further amend in Section 5, page 4, line 20, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 5, page 4, line 21, following the word "the" on line 20, by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 5, page 4, line 24, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and (49-36)

Further amend in Section 6, page 5, line 1, following the word "The" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 6(1), page 5, line 3, following the word "utility" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission" and following the word "that" by deleting the word "[he]" and inserting in lieu thereof the word "it", and

Further amend in Section 6(1), page 5, line 5, following the word "utility" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 6(2), page 5, line 12, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 6(3), page 5, line 18, following the word "as" by deleting the word "[he]" and inserting in lieu thereof the words "the commission", and

Further amend in Section 6(3), page 5, line 19, following the word "of" on line 18, by deleting the word "[his]" and inserting in lieu thereof the word "its", and

Further amend in Section 6(4), page 5, line 20, following the word "as" by deleting the word "[he]" and inserting in lieu thereof the word "it", and

Further amend in Section 6(6), page 5, line 24, by deleting Section 6(6) in its entirety, and (39-30)

Further amend in Section 7, page 6, line 7, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 7, page 6, line 10, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 7, page 6, line 12, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 7(2), page 6, line 13, following the word "The" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and

Further amend in Section 7(2b), page 6, line 17, following the word "the" by deleting the word "[commissioner]" and inserting in lieu thereof the word "commission", and (38-30)

Further amend in Section 8, page 7, lines 2 and 3, following the word "commission" by deleting the words "[or commissioner]" and (41-28)

Further amend in Section 10, page 7, line 19, by deleting Section 10 in

its entirety and inserting in lieu thereof a new Section 10 which reads as follows: "A public utility commissioner shall receive one thousand seven hundred dollars (\$1,700) each month until the legislature, acting upon the recommendations of the salary commission, sets the annual compensation for a public utility commissioner.", and (47-36)

Further amend by adding a new Section 13, which reads as follows: "Section 13. This act is effective June 30, 1973." (48-36)

And be further amended in Section 1 by deleting all material after the word "term" in the amendments previously adopted to Section 1, sub-paragraph (3) by deleting all material and inserting in lieu thereof the following: "The current commissioners shall assume office upon the effective date of this act and shall serve only until their successors are elected at the first election in 1974." (51-39)

And, as amended, do not pass (57-35).

That House Bill No. 512 do pass (83-5).

That House Bill No. 544 do not pass (54-36).

That House Bill No. 424 be amended in the title, lines 12 and 13, by striking following the word "boards" the following punctuation and words "[and eliminating certain procedural requirements for the filing of subdivision plats]", and (79-0)

Be further amended on page 7 and 8, Section 4, after Subsection (1), by reinstating the stricken material on lines 16 through 25 on page 7 and 1 through 5 on page 8, and

Be further amended on page 8, Section 4, Subsection 2, line 6, by striking the number "[2]" and inserting in lieu thereof the number "4". (74-0)

And as amended, do pass (83-3).

That House Bill No. 131 be amended in Section 1, on page 3, lines 1 through 5 by deleting in its entirety Subsection (e). (74-6)

And, as amended, do pass (83-0).

That Senate Amendments to House Bill No. 65 be concurred in (75-0).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

BAUCUS, Chairman

Baucus moved for adoption of the Committee of the Whole report.

As a substitute motion, Gunderson moved that House Bill No. 487 be segregated from the Committee of the Whole report. A roll call vote was requested by Gunderson, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baeth, Bardanoue, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 43.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, East, Flynn, Forsgren, Galt, Glennen, Hager, Healy, Holtz, Hubing, Jones, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Marks, Mehrens, Mercer,

Nichols, Olson, Quilici, Rolfe, Schye, Selstad, Smith, Swanberg, Ulmer, Walborn, Warfield. Total 45.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Brown, Fagg, Haines, Halvorson, Kessner, Lombardi, Seifert, Turner. Total 9.

As a substitute motion, Hall moved that House Bill No. 544 be segregated from the Committee of the Whole report. Hall asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Colberg, Driscoll, Fasbender, Flynn, Greely, Gunderson, Hall, H. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Shelden, Staigmillier, Swanberg, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 43.

Noes: Aageson, Asbjornson, Barrett, Brand, Brown, Campbell, Castles, Cotton, East, Edland, Forsgren, Galt, Glennen, Hageman, Hager, R. Harper, Holtz, Hubing, Jacobsen, Johnston, Jones, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Mercer, Nichols, Olson, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Ulmer, Walborn. Total 42.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Burnett, Clemow, Fagg, Fleming, Haines, Halvorson, Kessner, Lombardi, Tierney, Towe, Turner. Total 12.

Thereupon, the Committee of the Whole report was adopted as amended.

## REPORTS OF STANDING COMMITTEES

February 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 123, 153, 303, 368, 490, 428, 528, 548, 549, 555 and 573.

QUILICI, Chairman

February 13, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 be amended on page 1, in the title, line 5, after "department" by inserting "and board", and

Further amend on page 2, Section 3 (i), line 24, after "or any" by striking "[sizeable]", and

Further amend on page 2, Section 3 (i), line 25, after "thereto" by striking "[as defined by the department]" and inserting in lieu thereof "having an estimated cost in excess of two hundred fifty thousand dollars (\$250,000)", and

Further amend on page 3, Section 3 (ii), line 3, after "or any" by striking "[sizeable]", and

Further amend on page 3, Section 3 (iii), line 3, after "thereto" by striking "[as defined by the department]" and inserting in lieu thereof "having an estimated cost in excess of two hundred fifty thousand dollars (\$250,000)", and

Further amend on page 3, Section 3 (iii), line 7, after "or any" by striking "[sizeable]", and



Further amend on page 3, Section 3 (iii), lines 7 and 8, after "thereto" by striking "[as defined by the department]", and inserting in lieu thereof "having an estimated cost in excess of two hundred fifty thousand dollars (\$250,000)", and

Further amend on page 3, Section 3, following line 8, by adding a new Subsection to read: "(iv) designed for or capable of enriching uranium minerals;" and

Further amend on page 3, Section 3, lines 9 through 11, by striking all of Subsection (b), "[ (b) an electric transmission line and associated facilities of a design capacity of sixty (60) kilovolts or more;]" and inserting in lieu thereof:

"(b) an electric transmission line and associated facilities of a design capacity of thirty-four and one-half (34.5) kilovolts or more, except that the following transmission lines and associated facilities shall be subject to certain exceptions under the act:

(i) a transmission line and associated facilities with a design capacity of sixty-nine (69) kilovolts or less and which will be constructed above ground for a distance of ten (10) miles or less shall not be considered a utility facility within the definitions of this act.

(ii) a transmission line and associated facilities with a design capacity of one hundred and sixty-one (161) kilovolts or less and which will be constructed underground for a distance of five (5) miles or less shall not be considered a utility facility within the definitions of this act.

(iii) a transmission line or associated facilities of a design capacity of one hundred and sixty-one (161) kilovolts or less which does not meet the requirements of Subsections (i) and (ii) of this Section shall be subject to the specific time review requirements for transmission lines in Section six (6), Subsection one (1) and Section seven (7), Subsection one (1) of this act if the proposed length of the transmission line will not exceed thirty (30) miles.

(iv) unless specifically covered by Subsections (i), (ii) or (iii) of this Section, the construction of all transmission lines and associated facilities shall be subject to the two (2) years time requirement of Section six (6), Subsection one (1), and the six hundred (600) day requirement of Section seven (7), Subsection one (1).

(v) the provisions of Subsection (i) and (ii) of this Section shall not be construed as authorizing the simultaneous construction of two or more transmission lines serving the same community or customer which would, when constructed separately, come within the exceptions of Subsections (i) and (ii).", and

Further amend on page 3, Section 3 (5), line 23, after "evacuation," by inserting "construction," and

Further amend on page 3, Section 3 (5), line 24, at the beginning of the line by striking the word "[adversely]", and

Further amend on page 3, Section 3 (5), line 24, after "affect the" by striking "[natural]", and

Further amend on page 5, Section 5 (1), line 9, after "Section 5." by striking [(1)], and

Further amend on page 5, Section 5, line 19, after "act." by adding, "The legislature shall appropriate sufficient funds to aid in financing the department's activities in carrying out its duties under this act. The legislature shall provide a tax on gasification, liquefaction and uranium enrichment facilities sufficient to produce an amount of revenue equal to that derived from electrical energy producers under this Section." and



Further amend on page 5, Section 5, line 20 through 23 by striking all of Subsection (2): “[2] This amount shall be made available to the department to aid in financing the year round continuing additional costs imposed upon the department in fully carrying out the purposes of this act.],” and

Further amend on page 5, Section 6 (1), line 24, after “(1)” by striking “[Two]” and inserting in lieu thereof “at least two”, and

Further amend on page 5, Section 6 (1), line 24, after “prior to” by inserting “anticipated”, and

Further amend on page 5, Section 6 (1), line 25, after “facility” by inserting “as defined in Sections 3 (3) (a), 3 (3) (b) (iv), and 3 (c) and at least nine months prior to the anticipated commencement date of the construction of a utility facility as defined in Section 3 (3) (b) (iii)”, and

Further amend on page 6, Section 6 (2), lines 20 through 24, by striking in its entirety Subsection (2), “[A filing fee of one percent (1%) of the estimated cost of the facility shall be deposited with the department for use by the department in compiling the information required for rendering a decision on a certificate under Section 10 of this act.],” and inserting in lieu thereof, “A filing fee shall be deposited in the state general fund. Said fee shall be based upon the estimated cost of the facility according to the declining scale which follows: The applicant shall pay the accumulated sums calculated as follows: three percent (3%) of any estimated cost up to one million dollars (\$1,000,000); plus one percent (1%) of any estimated cost over a million dollars and up to twenty million dollars (\$20,000,000); plus one-half percent of one (0.5%) of any estimated cost over twenty million dollars (\$20,000,000) and up to one hundred million dollars (\$100,000,000); plus

One-quarter of one percent (0.25%) of any amount of estimated cost over one hundred million dollars (\$100,000,000) and up to three hundred million dollars (\$300,000,000); plus

One-tenth of one percent (0.1%) of any amount of estimated cost over three hundred million dollars (\$300,000,000).”, and

Further amend on page 8, Section 6, following line 5, by adding a new Subsection 7 to read, “(7) The board may waive compliance with the time limit of this Section if an applicant makes a clear and convincing showing that an immediate need for a facility exists and that the applicant did not have knowledge that the need existed sufficiently in advance of the need to file an application within the time provided in Subsection 1 of this Section.”, and

Further amend on page 8, lines 6 through 12, by striking all of Subsection (1) and inserting in lieu thereof a new Subsection (1) which reads as follows:

“(1) Upon receipt of an application complying with Section 6, the department shall commence an intensive study and evaluation of the proposed facility and its effects, pursuant to Section 16 of this act. Within six hundred (600) days following receipt of the application, for a facility as defined in Sections 3 (3) (a), 3 (3) (b) (iv) and 3 (c) and within 180 days for a facility as defined in Sections 3 (3) (b) (iii) the department shall make a report to the board, which shall contain the department's studies, evaluations, recommendations, other pertinent documents resulting from its study and evaluation pursuant to Section 16 of this act and the final environmental impact statement.

The departments of health and environmental sciences, highways, inter-governmental relations, fish and game, and public service regulation shall report to the department information relating to the impact of the proposed site on each department's area of expertise. Such information may

include opinions as to the advisability of granting or denying the certificate. The department shall allocate funds obtained from filing fees to the departments making reports to reimburse them for the costs of compiling information and issuing the required report.”, and

Further amend on page 8, Section 7, following line 20, by adding a new Subsection to read, “(3) Upon receipt of the department’s report submitted under Subsection (1) of this Section, the board shall set a hearing date not more than sixty (60) days after such receipt.”, and

Further amend on page 9, Section 7, Subsection (c), line 11, after “person” by adding “; and (d) the department”, and

Further amend on page 9, Section 7, line 12, after “(2)” by striking all of the material, “[Any party identified in paragraph (c) of Subsection 1 of this Section waives his right to be a party if he is not in attendance at the hearing, or does not submit written testimony within thirty (30) days after the hearing is completed.]”, and insert in lieu thereof the new material, “Any party identified in subparagraphs (b) and (c) of Subsection (1) of this Section waives his right to be a party if he does not participate orally at the hearing.”, and

Further amend on page 9, Section 9, line 17, after “Section 9.”, by striking all of the material, “[A record shall be made of the hearing and of all testimony taken and the contested hearing procedures of the Montana Administrative Procedure Act shall apply to the hearing except that the board may waive rules of evidence and may make rules designed to exclude repetitive redundant or irrelevant testimony.]”, and insert in lieu thereof, “Any studies, investigations, reports, or other documentary evidence, including those prepared by the department, which any party wishes the board to consider or which the board itself expects to utilize or rely upon, shall be made a part of the record; a record shall be made of the hearing and of all testimony taken; and the contested case procedures of the Montana Administrative Procedure Act shall apply to the hearing, except that neither common law nor statutory rules of evidence need apply, but the board may make rules designed to exclude repetitive, redundant or irrelevant testimony.”, and

Further amend on page 9, Section 10, (1), line 23, after “(1)”, by striking, “[The board shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions or modifications of the construction, operation or maintenance of the utility facility, either as proposed or as modified by the board unless it shall find and determine.]” and insert in lieu thereof,

“The board shall make complete findings, issue an opinion, and render a decision upon the record, either granting or denying the application as filed or granting it upon such terms, conditions, or modifications of the construction, operation or maintenance of the utility facility as the board may deem appropriate. The board may not grant a certificate either as proposed or as modified by the board unless it shall find and determine.”, and

Further amend on page 11, Section 10, lines 16 through 25, by striking all of Subsection 2, “[ (2) The department of highways, the department of intergovernmental relations, the department of fish and game, and the department of public service regulation shall report to the department information relating to the impact of the proposed site on each department’s area of expertise. Such information may include opinions as to the advisability of granting or denying the certificate. The department shall allocate funds obtained from filing fees to the departments making reports to reimburse them for the costs of compiling information and issuing the required report.]”; and

Further amend by re-numbering subsequent Subsection to conform numerically, and

Further amend on page 13, Section 11, line 10 through 19, after (3), by striking all of Subsection 3, "[Any of the provisions described in Sections 6 through 11 of this act shall be waivable by the board for good cause shown with respect to applications filed during a period of twenty-four (24) months subsequent to the effective date of this act. Applications for certificates for utility facilities on which construction has commenced prior to the effective date of the act shall be promptly filed with the department. A certificate is not required under this act for utility facilities already in operation on the effective date of this act.]", and insert in lieu thereof the new material, "The time requirement of Section 6 and any of the provisions described in Sections 7 through 11 of this act may be waived by the board. For good cause shown with respect to applications filed before January 1, 1975. Applications for certificates under this Subsection (3) must be promptly filed. A certificate is not required under this act for facilities under construction or in operation on January 1, 1973. However, a certificate must be obtained for associated facilities or when construction has not commenced before January 1, 1973, subject to the waiver provisions of this Subsection.", and

Further amend on page 13, Section 12 (1), line 20, after "party" by inserting, "as defined in Section 8 of this act", and

Further amend on page 13, Section 12 (1), line 22, after "petition in a" by inserting "Montana", and

Further amend on page 14, Section 13, lines 12 and 13, after "set forth in" by striking "[Section 12]" and inserting in lieu thereof, "Sections 12, 17 and 21", and

Further amend on page 16, Section 14 (2), line 8, after "persons" by inserting "or group may obtain a plan by written request and payment therefor", and

Further amend on page 16, Section 15, line 9, after "Section 15.", by striking all of the material therein, which includes Subsection (1), (2), paragraph (a), (b), Subsection (3) and Subsection (4) ending with line 24 on page 17, and inserting in lieu thereof the following new material, "If a utility lists and identifies a proposed utility facility in its plan, submitted pursuant to Section 14 of this act, as one on which construction is proposed to be commenced within the five (5) year period next proceeding submission of the plan, the department shall commence examination and evaluation of the site to determine whether construction of the proposed facility would unduly impair the environmental values in Section 16 of this act. This study may be continued until such time as a utility files an application for a certificate under Section 6 of this act. Information gathered under this Section may be used to support findings and recommendations required for issuance of a certificate.", and

Further amend on page 18, Section 16, line 2, after "board" by inserting "and department", and

Further amend on page 18, Section 16 (1), line 6, after "(1)" by striking "[Electric energy]" and inserting in lieu thereof, "Energy", and

Further amend on page 18, Section 16 (b), line 8, after "desirability of" by striking "[nonelectric]", and

Further amend on page 18, Section 16 (c), line 11, after "sources of" by striking "[electric power]" and inserting in lieu thereof "energy", and

Further amend on page 21, Section 16 (d) following (iv) on line 11, by adding a new subparagraph to read, "(v) Heavy metals, trace elements, radioactive materials and other toxic substance."

And, as so amended, do pass.



(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 29, respectfully report as follows: That House Joint Resolution No. 29 be amended in the title, line 8, after the word "STATE" by inserting the following new material: "; and the feasibility of having the federal government grant all federal lands within the boundaries of Montana to the State of Montana", and

Further amend page 1, line 16, after the word "owns" by inserting the following new material: "one-third ( $\frac{1}{3}$ ) of all lands in the United States and", and

Further amend page 1, line 17, after the word "states" by deleting the punctuation and the following material: "[. "These states are being denied the tax base as other states that are nearly one hundred percent (100%) sovereign, and]" and inserting in lieu thereof after the word "state" the punctuation and word ", and", and

Further amend page 1, line 18, by inserting the following new material: "WHEREAS, The western states are being denied, because of these vast federal land holdings, the tax base afforded other states that have little or no federal lands within their boundaries, and", and

Further amend page 1, line 20, after the word "these" by deleting the following material: "[lands have a tremendously high administrative cost.]" and inserting in lieu thereof the following new material: "federal lands burden state governments with high administrative costs in order to protect these lands.", and

Further amend on page 2, line 1 through line 7, by deleting the following material: "[of all federal lands on the State of Montana and all the counties in the following areas.]

- [1. economy,]
- [2. financing education,]
- [3. financing local government,]
- [4. bonding capacity, and]
- [5. counties and schools]"

And inserting in lieu thereof the following material: "of federal ownership of land in Montana on the economy, the financing of education, and the financing of state and local government in the State of Montana, and"

"BE IT FURTHER RESOLVED, that the Montana Legislative Council study the feasibility of having the federal government grant to Montana all federal lands within the boundaries of Montana as was done with the thirteen (13) original states and Texas, and possible problems arising with such a grant."

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.



February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 be amended on page 17, Section 5, Subsection (b), line 21, after the word "not" by inserting the word "a", and

Further amend on page 17, Section 6, line 24, after the word "the" by striking the word "[board]" and inserting in lieu thereof the word "department", and

Further amend on page 18, Section 7, Subsection (1), line 6, after the word "the" by striking the word "[board]" and inserting in lieu thereof the word "department", and

Further amend on page 18, Section 7, Subsection (1), line 7, after the words "substance is" by inserting the word "a", and

Further amend on page 23, line 10 through and including page 25, line 7, by striking Section 14 in its entirety, as follows "[Section 14. (1) In the case of any article or substance sold by its manufacturer, distributor, or dealer which is a banned hazardous substance (whether or not it was such at the time of its sale), such article or substance shall, in accordance with rules of the department, be purchased as follows: (a) The manufacturer of any such article or substance shall repurchase it from the person to whom he sold it, and shall: (i) refund that person the purchase price paid for such article or substance, (ii) if that person has repurchased such article or substance under paragraph (b) and (c), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase, and (iii) if the manufacturer requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the manufacturer].

[ (b) The distributor of any such article or substance shall repurchase it from the person to whom he sold it, and shall, (i) refund that person the purchase price paid for such article or substance, (ii) if that person has repurchased such article or substance under paragraph (c), reimburse him for any amount paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase, and (iii) if the distributor requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the distributor. (c) In the case of any such article or substance sold at retail by a dealer, if the person who purchased it from the dealer returns it to him, the dealer shall refund the purchaser the purchase price paid for it and reimburse him for any reasonable and necessary transportation charges incurred in its return. (2) For the purposes of this Section: (a) the term "manufacturer" includes an importer for resale, and (b) a dealer who sells at wholesale an article or substance is with respect to that sale the distributor of that article or substance. ]", and

Further amend by renumbering subsequent Sections to conform numerically, and

Further amend on page 25, Subsection (2), line 20, after the word and punctuation "periods," by striking the word "[lending]" and inserting in lieu thereof the word "ending", and

As so amended, do pass.

LEE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do pass.

LEE, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456 do pass.

LEE, Chairman

Report adopted.

February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 511, respectfully report as follows: That House Bill No. 511 do not pass.

LEE, Chairman

The report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lynch, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Mr. Speaker. Total 65.

Noes. None.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Brown, Burnett, Clemow, Driscoll, East, Edland, Fagg, Fleming, Galt, Haines, Halvorson, Hubing, Kendall, Kessner, Kimble, Lombardi, Lundgren, McKittrick, Manuel, Menahan, Nichols, Norman, Roberts, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield, Yardley. Total 32.

February 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 do not pass.

LEE, Chairman

The report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Cotton, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Watt, Mr. Speaker. Total 57.

Noes: Brand, Colberg, H. Harper, R. Harper, Huennekens, Kessner, Marbut, Rolfe, Selstad, Tierney, Ulmer. Total 11.

Excused: Cox, Ellerd, Zimmer. Total 3.

Absent or not voting: Ainsworth, Brown, Burnett, Castles, Clemow, Driscoll, East, Edland, Fagg, Galt, Haines, Halvorson, Hubing, Kvaalen, Lockrem, Lombardi, Lucas, Lundgren, Marks, Nichols, Quilici, Schye, Seifert, Smith, Towe, Turner, Walborn, Warfield, Yardley. Total 29.

Fasbender moved that the House adjourn until 1:30 p.m., February 14, 1973.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief clerk

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### THIRTY-NINTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 14, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members present except Kolstad, Haines, Zimmer and Watt, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily Journal for the Thirty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

February 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 13, 218, 227 and 500.

QUILICI, Chairman

February 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 220, 261 and 281.

QUILICI, Chairman

February 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 309, 344, 357, 400, 406, 435, 444, 471, 486, 409, 260, 325, 360, 343, 215, 216, 288, 338, 386, 512, 543 and 523, and House Joint Resolution Nos. 15 and 30.

QUILICI, Chairman

February 14, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 12, respectfully report as follows: That Senate Bill No. 12 be concurred in.

GREELY, Vice-Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be amended on page 2, line 1, of the Third Reading Bill by adding an "s" on the word "fail", and

As amended, be concurred in.

KOSENSA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 be held over until the Second Session of the 43rd Legislative Assembly in January, 1974.

KOSENSA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 be held over until the Second Session of the 43rd Legislative Assembly in January, 1974.

KOSENSA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 be held over until the Second Session of the 43rd Legislative Assembly in January, 1974.

KOSENSA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had



under consideration Senate Bill No. 228, respectfully report as follows:  
That Senate Bill No. 228 be not concurred in.

KOSENA, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Mr. Speaker. Total 74.

Noes: Huennekens. Total 1.

Excused: Baeth, Baucus, Bell, Brown, Burnett, Flynn, Haines, Hall, H. Harper, Kendall, Kolstad, Lucas, Marbut, Roberts, Towe, Warfield, Watt, Yardley, Zimmer. Total 19.

Absent or not voting: Bennetts, Colberg, Galt, Lockrem, Schye, Selstad. Total 6.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 229, respectfully report as follows:  
That Senate Bill No. 229 be not concurred in.

KOSENA, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Mr. Speaker. Total 74.

Noes: Burnett. Total 1.

Excused: Baeth, Baucus, Bell, Brown, Fagg, Flynn, Haines, Hall, H. Harper, Kendall, Kolstad, Lucas, Marbut, Roberts, Towe, Warfield, Watt, Zimmer. Total 18.

Absent or not voting: Forsgren, Halvorson, Holmes, Lundgren, Regan, Selstad, Yardley. Total 7.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 157, respectfully report as follows:  
That Senate Bill No. 157 be concurred in.

KOSENA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Local Government, having had

under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

KOSENSA, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 73, respectfully report as follows: That Senate Bill No. 73 be concurred in.

GREELY, Vice-Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 20, respectfully report as follows: That Senate Joint Resolution No. 20 be concurred in.

GREELY, Vice-Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

February 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 232, introduced by McNamer and Groff

Senate Bill No. 242, introduced by McKeon

Senate Bill No. 370, introduced by Committee on Highways and Transportation (by request)

Senate Bill No. 371, introduced by Committee on Highways and Transportation (by request)

Senate Bill No. 402, introduced by Lynch and Carl

Senate Bill No. 412, introduced by Harrison and Bennett

Senate Bill No. 424, introduced by Aber

Senate Joint Resolution No. 40, introduced by Bollinger and Bennett

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

February 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 113, introduced by Lowe and Siderius

Senate Bill No. 115, introduced by Siderius  
Senate Bill No. 116, introduced by Siderius and Lowe  
Senate Bill No. 117, introduced by Lowe and Siderius  
Senate Bill No. 118, introduced by Siderius and Lowe  
Senate Bill No. 119, introduced by Siderius and Lowe  
Senate Bill No. 120, introduced by Keenan and Siderius  
Senate Bill No. 121, introduced by Keenan and Siderius  
Senate Bill No. 122, introduced by McKeon and Siderius  
Senate Bill No. 123, introduced by McKeon and Siderius  
Senate Bill No. 125, introduced by Siderius  
Senate Bill No. 126, introduced by McKeon  
Senate Bill No. 128, introduced by Bertsche and Siderius  
Senate Bill No. 129, introduced by McKeon and Siderius  
Senate Bill No. 130, introduced by McKeon and Siderius  
Senate Bill No. 132, introduced by Keenan and Siderius  
Senate Bill No. 134, introduced by Siderius  
Senate Bill No. 135, introduced by Keenan and Siderius

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate  
February 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 282, introduced by Hager, Selstad, et al, was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Hageman, having voted on the prevailing side in adopting a committee report on House Bill No. 146, moved that the House reconsider its action.

Motion carried.

Hageman moved that House Bill No. 146 be printed and placed on Second Reading.

Motion carried.

Greely, having voted on the prevailing side in adopting the committee report on House Bill No. 469, moved that the House reconsider its action.

Motion carried.

Greely moved that House Bill No. 469 be printed and placed on Second Reading.

Motion carried.

Selstad moved that House Bills Nos. 297 and 299 be taken from Second Reading and be rereferred to Committee on Local Government.

Motion failed.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 580, introduced by Fagg: A bill for an act entitled: "An act amending Section 11-3401 through 11-3414, 11-3418 through 11-3426, 11-3428, 11-3432, 11-3438, 11-3439, 11-3441 through 11-3445, 11-3448 through 11-3451, 11-3458, 11-3460, 11-3503 through 11-3507, 11-3509, 11-3510, 11-3512, 11-3515, 11-3517, 11-3518, 11-3522, 11-3524 through 11-3527, 11-3530 through 11-3533, 11-3535 through 11-3540, 11-3542 through 11-3548, 11-3552, 11-3553, and 11-3555 through 11-3560, R.C.M. 1947; providing for a mayor-council form of government as an alternate form of government in city-county consolidated municipal governments." Referred to Committee on Local Government.

Senate Joint Resolution No. 40, introduced by Bollinger, Bennett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Director of the Department of Business Regulation to create an unfair practices advisory council to advise the department regarding enforcement of the unfair practices act. Referred to Committee on Business and Industry.

Senate Bill No. 113, introduced by Lowe and Siderius: A bill for an act entitled: "An act providing for a definition of 'employer' in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and repealing Section 92-410, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 115, introduced by Siderius: A bill for an act entitled: "An act providing certain housekeeping amendments and repeals to the Workmen's Compensation Act concerning the extent of coverage; amending Sections 92-209, 92-901, 92-902, 92-1102 and 92-1121, R.C.M. 1947; and repealing Sections 92-301 through 92-306 and 92-402 through 92-407, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 116, introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for the repeal of Sections 92-501, 92-503, 92-504, 92-505, 92-610 and 92-810, R.C.M. 1947, which are no longer necessary in the Workmen's Compensation Act, Title 92, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 117, introduced by Lowe, Siderius: A bill for an act entitled: "An act providing for inclusion of the state fund within the definition of 'insurer' in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and amending Section 92-435, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 118, introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for a definition of 'temporary total disability' in the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 119, introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for a definition of 'permanent partial disability'".



in the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 120, introduced by Keenan, Siderius: A bill for an act entitled: "An act providing for a definition of "permanent total disability" in the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 121, introduced by Keenan and Siderius: A bill for an act entitled: "An act providing for a definition of "wages" in the Workmen's Compensation Act; and repealing Section 92-423, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 122, introduced by McKeon, Siderius: A bill for an act entitled: "An act providing for compensation for injuries producing partial disability under the Workmen's Compensation Act; repealing Section 92-703, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 123, introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries producing total permanent disability under the Workmen's Compensation Act; repealing Section 92-702, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 125, introduced by Siderius: A bill for an act entitled: "An act providing for a definition of "independent contractor" in the Workmen's Compensation Act; and repealing Section 92-438, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 126, introduced by McKeon: A bill for an act entitled: "An act providing for medical and hospital services approved by the Division of Workmen's Compensation to be furnished injured claimants under the Workmen's Compensation Act; repealing Section 92-706, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 128, introduced by Bertsche, Siderius: A bill for an act entitled: "An act providing for a definition of 'average weekly wage' in the Workmen's Compensation Act; and repealing Section 92-422, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 129, introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries producing total temporary disability under the Workmen's Compensation Act; repealing Section 92-701, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 130, introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries causing death under the Workmen's Compensation Act; repealing Section 92-704, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 132, introduced by Keenan, Siderius: A bill for an act entitled: "An act providing an increase in age from twenty-one (21) to twenty-two (22) years for an unmarried child to be a full-time student in an accredited school in the "beneficiary" definition in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and amending Section 92-413, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 134, introduced by Siderius: A bill for an act entitled: "An act providing for lowering the noise intensity level from one hundred (100) to ninety (90) decibels in the occupational deafness section of the Workmen's Compensation Act; amending Section 92-710, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 135, introduced by Keenan, Siderius: A bill for an act entitled: "An act providing for more than twenty-six (26) weeks of temporary total disability compensation benefits in cases of permanent injury in nonscheduled injuries; amending Section 92-709, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 232, introduced by McNamer, Groff: A bill for an act entitled: "An act determining the limitation for loans to a limited partner; amending Section 5-523, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 242, introduced by McKeon: A bill for an act entitled: "An act to amend Section 95-508, R.C.M. 1947, to require a hearing to determine a defendant's present mental condition after the defendant has been acquitted in a criminal proceeding by reason of a mental disease or defect excluding responsibility; and setting the burden of proof in such proceedings as a preponderance of the evidence." Referred to Committee on Judiciary.

Senate Bill No. 370, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 31-119, R.C.M. 1947, revising and adding to the definition of certain words as applied to the Driver Licensing Act." Referred to Committee on Highways and Transportation.

Senate Bill No. 371, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 31-145, R.C.M. 1947, providing for a time limit on forwarding reports of conviction." Referred to Committee on Highways and Transportation.

Senate Bill No. 402, introduced by Lynch and Carl: A bill for an act entitled: "An act amending Section 35-103, R.C.M. 1947, providing that an elderly family is one the head of which is sixty (60) years of age or older." Referred to Committee on Local Government.

Senate Bill No. 412, introduced by Harrison, Bennett: A bill for an act entitled: "An act to amend Section 13-903, R.C.M. 1947, to provide for the rescission of contracts by buyers from "door-to-door" salesmen." Referred to Committee on Business and Industry.

Senate Bill No. 424, introduced by Aber: A bill for an act entitled: "An act prohibiting the filing of false mining claims; providing for a penalty; and providing for an effective date." Referred to Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES

February 14, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 be amended on page 1, line 4 of the title, after the 2nd word, "act" by striking the words and punctuation; "[to control corporate farming; providing for administration and enforcement by the Secretary of State and Attorney General]," and

Further amend on page 1, line 11, by striking all material after the enacting clause and inserting in lieu thereof the following new material:

Section 1. This act shall be known as the "Montana Family Farm Act of 1973."

Section 2. It is hereby declared to be the public policy of the state: It is desirable to preserve free, private enterprise, to protect small business and prevent monopoly, and to protect opportunity for family farmers

in the state, as well as to protect consumers. Vertical integration of the agricultural industry by the processing, distributing and retailing industries and conglomerate businesses have created situations of unfair, monopolistic competition for the family farmer. This situation has contributed to the decline of rural populations and the consequent crowding of metropolitan centers. It has resulted in a noticeable decline in competitions in some phases of agricultural production and threatens others. It is state policy to restore competition to the agricultural industry and to provide for the continuance of the family farm.

Section 3. As used in this act, unless the context otherwise requires:

(1) "agriculture" means the cultivation of the ground, the harvesting of crops, the production or the raising of plants or animals useful to man, or any combination thereof, but does not include livestock in feedlots. Livestock means cattle, sheep or swine. Feedlot means any area or building where cattle, sheep or swine are corralled, housed or penned or otherwise confined from grazing, and the purpose of such confinement is to fatten the cattle, sheep or swine for slaughter and not to return them to grazing."

(2) "agricultural land" means any rural real estate which is used or usable for the business of agriculture.

(3) "non-agricultural business" means a business in which more than forty percent (40%) of the business' annual gross receipts or \$100,000 of its annual gross receipts, based on a three (3) year average, whichever is larger, is from any source other than agriculture, or other than allowing others to extract from the agricultural lands of the business any minerals underlying the same, including, but not limited to oil, gas, or coal.

(4) "corporation" includes business associations, joint-stock companies, and business trusts.

(5) "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation or venture is carried on.

Section 4. No person, partnership, corporation, trust or conglomerate business entity engaged in non-agricultural business anywhere and owning or controlling assets amounting to more than \$3,000,000 or owning or controlling stock or other share of capital in one or more business entities with a total value of \$1,000,000 or more, such as, but not limited to, those corporations engaged in the meat or poultry packing business or the wholesaling or retailing of red meat, poultry or livestock products, including dairy products or engaged in the processing, purchasing, selling or handling of grain or other field crops including fruits, vegetables, pulses, or animal feeds; or engaged in the production, sale or distribution of agricultural chemicals and fertilizers or petroleum products; or engaged in the manufacture, sale or distribution of farm supplies, including machinery, buildings, fencing, or other equipment; or engaged in the business of insurance, banking, money lending or extension of real estate or production credit or selling goods to, or providing services to farmers, or engaging in other similar activities or in buying agricultural products from farm producers except farmer owned and controlled cooperatives, corporations and associations which meet the conditions of the Capper-Volstead Act shall directly or indirectly engage this state in agriculture or productions of agricultural products, or control, or attempt to control agricultural production through the owning, leasing, or holding or otherwise controlling land for agricultural purposes or by contracts with others or by integration, merger or any other means of acquisition or control; provided that the foregoing prohibition shall not apply in the case of any one or more of the following:

(1) charitable institutions which engage in agricultural production for other than income purposes as a part of their charitable function;



(2) education institutions engaged in research as a part of academic and extension activities;

(3) nonprofit institutions engaged in agricultural production solely for purposes of research; and

(4) grazing associations where membership is comprised solely of Montana residents.

Section 5. No foreign corporation and no domestic corporation subject to the prohibitions of Section 4, shall be formed or licensed under the Montana business corporation act.

Section 6. Nothing in any provision of this act shall be construed to prevent any creditor, legatee, beneficiary, or interstate successor subject to the provisions of this act from lawfully acquiring pursuant to legal proceedings, agricultural land or other means of agricultural production or of control of such means of agricultural production of they shall divest themselves of such property within two years of acquisition; provided, however, that for cause shown additional time may be obtained by petitioning the district court of the county in which such agricultural land is situated.

Section 7. Nothing in this act prohibits a person, partnership trunk or conglomerate business entity from engaging in the business of agriculture or from owning, leasing, holding or otherwise controlling agricultural land in this state, engaged in the business of agriculture within the state prior to the effective date of this act; provided, however, that no such person, partnership, corporation, etc. shall acquire or otherwise control, directly or indirectly, any agricultural land or engage in agriculture except to the extent which he had immediately prior to the effective date, hereof.

Section 8. The attorney general shall have appropriate authority to enforce the programs of this act.

Section 9. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

And as amended, do pass.

(Material brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

FLEMING, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, McKittrick, Manuel, Marbut, Marks, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 69.



Noes: Burnett, Campbell, Clemow, East, Ellerd, Glennen, Hager, Hubing, Jones, Kessner, Lien, Lund, Mercer, Rolfe, Selstad, Smith, Walborn. Total 17.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Ainsworth, Brown, Forsgren, Holmes, Lockrem, Lundgren, Lynch, Mehrens, Menahan, Turner. Total 10.

February 14, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 36, respectfully report as follows: That House Joint Resolution No. 36 do not pass.

FLEMING, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Ulmer, Walborn, Warfield, Mr. Speaker. Total 78.

Noes: Bardanouve, Huennekens, Jones, Tierney, Towe. Total 5.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Brown, Forsgren, Galt, Holmes, Kosena, Kvaalen, Lockrem, Lundgren, Mehrens, Menahan, Shelden, Turner, Yardley. Total 13.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be amended on page 2, section 1, subsection 4, beginning on line 8, by deleting the words "[ (4) This section shall take effect only in those counties in which the board of county commissioners adopt the same by resolution. ]", and

As amended, do pass.

(Material brackets denotes cancelled type.)

HEALY, Chairman

Report adopted.

January 23, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 be amended on page 1, line 7, after the word "selling" by inserting the punctuation and words ", giving, delivering or distributing", and

Be further amended on page 1, section 1, line 15, after the word "to" by inserting the word and punctuation "give," and

As amended, do pass.

HEALY, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 121 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Cox, East, Ellerd, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn. Total 32.

Paired: Kolstad, aye; Lockrem, no.

Excused: Haines, Watt, Zimmer. Total 3.

Absent or not voting: Halvorson. Total 1.

House Bill No. 128 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 95.

Noes: Burnett. Total 1.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: None.

House Bill No. 149 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 95.

Noes: Marbut. Total 1.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: None.

House Bill No. 167 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Schye. Total 1.

House Bill No. 169 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 94.

Noes: Campbell, Marbut. Total 2.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: None.

House Bill No. 552 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fashbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Laas, Shelden. Total 2.



House Bill No. 200 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Menahan, Mercer, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: Asbjornson, Barrett, Cox, Glennen, Healy, Lee, Lombardi, Lynch, Marks, Mehrens, Nichols, Olson, Quilici, Smith, Walborn. Total 15.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Bennetts, Fasbender, Hall. Total 3.

House Bill No. 241 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKitt-  
rick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 47.

Paired: Murphy, aye; Haines, no; Hall, aye; Kolstad, no.

Excused: Watt, Zimmer. Total 2.

Absent or not voting: Hodges. Total 1.

House Bill No. 249 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 90.

Noes: Bardanouve, R. Harper. Total 2.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Colberg, East, Hubing, Manuel. Total 4.

House Bill No. 255 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper,



R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 89.

Noes: Bennetts, Brand, Gunderson, Tierney. Total 4.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Fleming, Selstad, Yardley. Total 3.

House Bill No. 304 was passed by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kessner, Kimble, Laas, Lee, Lien, Lockrem, Lombardi, Lynch, Marbut, Murphy, Nichols, Norman, Olson, Regan, Rolfe, Selstad, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 55.

Noes: Asbjornson, Baeth, Barrett, Bell, Brand, Burnett, East, Fleming, Flynn, Galt, Gunderson, R. Harper, Hubing, Johnston, Kendall, Kosena, Kvaalen, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Ulmer, Walborn. Total 40.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Colberg. Total 1.

House Bill No. 372 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-rick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Shelden, Staigmilller, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Cox, East, Ellerd, Fleming, Galt, Glennen, Hageman, Hager, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Swanberg, Turner, Walborn. Total 33.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Manuel, Schye. Total 2.

House Bill No. 441 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye,

Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Hubing. Total 2.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Ainsworth, Colberg, Cotton, East, Fasbender, R. Harper, Lundgren, McKittrick, Nichols, Stoltz. Total 10.

House Bill No. 465 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: Hager, Lien, Mercer, Rolfe, Seifert, Selstad, Smith, Turner. Total 8.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Castles, East, Ellerd, Galt, Halvorson, Marks. Total 6.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 65 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Yardley, Mr. Speaker. Total 85.

Noes: Greely, H. Harper, Marbut. Total 3.

Excused: Haines, Kolstad, Watt, Zimmer. Total 4.

Absent or not voting: Ellerd, Flynn, Hager, Lund, Marks, Norman, Schye, Warfield. Total 8.

### REPORTS OF STANDING COMMITTEES

February 14, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, respectfully report as follows: That

House Bill No. 217 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Selstad in the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 294 do pass (57-35).

That House Bill No. 349 do pass (66-15).

That House Bill No. 544 be placed after House Bill No. 368 on Second Reading.

That House Bill No. 21 be amended in Section 1, subsection (1), page 44, line 1, of the Second Reading Bill, before the word "board" by striking the following material: "[board of public education is the]", and (67-1)

Further amend in section 2, subsection (3) (d), page 45, line 10, after the word "such" by striking the word "[appoint]", and inserting in lieu thereof the word "appointment", and (78-0)

Further amend in Section 7, subsection (2), page 47, line 13, after the words "ex officio" by inserting the words "non-voting", (68-0)

And as amended, do pass (75-15).

That House Bill No. 123 be passed just past House Bill No. 428.

That House Bill No. 176 do pass (47-41).

That House Bill No. 226 do pass (82-6).

That House Bill No. 287 do pass (82-1).

That House Bill No. 297 do pass (51-46).

That House Bill No. 298 be amended in Section 1, page 4, line 23, by inserting the word "Bank" after the word "of" and

Further amend on page 4, line 23 by deleting the words and figures "[under 84-4605]" (87-1).

And as amended, do not pass (47-44).

That House Bill No. 299 do pass (67-24).

That House Bill No. 300 be amended on line 2 of the printed bill by striking following the word "by" the name and punctuation "[Ainsworth],"

And further amend on line 2 of the printed bill by inserting following the name "Haines," the name and punctuation "Ainsworth", (78-9)

And as amended, do pass (51-43).

That House Bill No. 296 be amended in Section 1, page 1, lines 24 and 25 by deleting the words and figures "[seven hundred fifty (\$750)]" and

in lieu thereof insert the words and figures "six hundred (\$600)" (81-0)

And as amended, do pass (85-1).

That House Bill No. 303 do pass (78-0).

That House Bill No. 368 be amended in the title, line 5 of the corrected Second Reading Bill, after "act" by deleting "[requiring]" and inserting in lieu thereof, "permitting", and

Further amend on page 1, in the title, line 6, after "officers" by deleting "[mortgagees and their spouses]", and inserting in lieu thereof, "mortgagees, except banks, savings and loan associations and loaning institutions", and

Further amend on page 1, in the title, line 8, after "license" by inserting " , on the demand of the Montana Liquor Board, county commissioners, or the governing body of the incorporated town or city where the license is to be used", and (51-23)

Be further amended in Section 1, page 1, line 12, after "Section 1." by inserting "At the public hearing required to be held by section 4-407.1, R.C.M. 1947, the Montana liquor board, the county commissioners, or the governing body of the incorporated town or city where the liquor license is to be used may require", and further amend by striking "[all]" and inserting in lieu thereof "all", and

Further amend on page 1, section 1, lines 13, after "license" by striking "[persons having a security interest or mortgage in a retail liquor license]", and inserting in lieu thereof "mortgagees," and

Further amend on page 1, section 1, at the beginning of line 16, by striking "[regulated loan agencies)]" and inserting in lieu thereof "loaning institutions", and

Further amend on page 1, section 1, line 16, after "spouses" by deleting "[shall]" and inserting in lieu thereof "to". (51-23)

And as amended, do pass (49-35).

That House Bill No. 544 be amended in the title by deleting in line 7, page 1, of the Second Reading Bill the word "[require]" and insert the word "permit" (73-0)

Further amend Section 1, line 6, page 8, by deleting the words "[their office]" and insert the words "such treasurer" and by striking in line 7, page 8, the words "[or any county contiguous thereto]."

And further amend Section 1, line 18, page 8 by adding after the words "hereby authorized" the words "and directed, unless the commissioners or council shall by affirmative act determine not to do so,"

And further amend by deleting all underlined material on lines 21 through 25, page 8 and lines 1 to 3, page 9 and the semicolon on line 21, page 8, and strike the remainder of line 3 and all of lines 4, 5 and 6, page 9, and the word "[town]" in line 7, page 9 and insert after the comma in line 7, page 9 the word "or",

And further amend by adding the following new material on line 9, page 9 after the period: "The commissioners or council shall give consideration to competitive interest rates of banks, however the commissioners or council shall give preference to the local bank when such commission or council determines the availability of services or other considerations outweigh advantages of higher interest rates,"

And as amended, do pass (61-28).



That the Committee rise and report.

(Material in brackets denotes cancelled type.)

SELSTAD, Chairman

Selstad moved for adoption of the Committee of the Whole report.

As a substitute motion, Marbut moved that House Bill No. 298 be segregated and that the Committee of the Whole report be adopted as amended.

Fasbender requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huenekens, Johnston, Kendall, Kimble, Kosena, Kvaalen, McKittrick, Manuel, Marbut, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 48.

Noes: Aageson, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Ellerd, Flynn, Forsgren, Galt, Hageman, Hager, Healy, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Quilici, Schye, Selstad, Smith, Stephens, Turner, Ulmer, Walborn. Total 45.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Barrett, Fleming, Lombardi, Mehrens, Tierney. Total 5.

## MOTIONS AND RESOLUTIONS

Lockrem moved that he be authorized to call and notify Lieutenant Commander Rodney Knutson, a Viet Nam prisoner of war, that the one hundred members of the Montana House of Representatives, welcome him home and are glad that he is back.

Motion carried unanimously.

## REPORTS OF STANDING COMMITTEES

February 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 160 and 470.

QUILICI, Chairman

February 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 109, 177, 168, 341, 396, 365, 442, 453, 456, 466, 469, 502, 571 and House Joint Resolutions Nos. 35 and 33.

QUILICI, Chairman

February 14, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 be amended on page 1, in the title, line 6, after "providing for" by inserting the new material, "a continuation of the tradition of Montana in protecting human life, and for regulations concerning", and

Further amend on page 1, in the title, line 9, after "penalties; and" by striking "[repealing]" and inserting in lieu thereof, "superceding certain provisions of", and

Further amend on page 1, line 14, by deleting all of the material following the enacting clause, section 1 through and including section 6, and inserting in lieu thereof,

"Section 1. The legislature reaffirms the tradition of the State of Montana to protect every human life, whether unborn or aged, healthy or sick. In keeping with this tradition and in the spirit of our Constitution, we reaffirm the intent to extend the protection of the laws of Montana in favor of all human life.

Section 2. An "abortion" means any act or operation to intentionally terminate a pregnancy without live birth.

Section 3. (1) No abortion may be performed in the State of Montana, unless:

(a) such abortion is performed by a physician currently licensed by this State, in a medical office, clinic or hospital;

(b) the operation is performed before approximately the end of the first trimester; or, if after approximately the end of the first trimester, only according to procedures approved by the State Board of Health; but not after viability or approximately the end of the sixth month.

(c) signed consent of the father has been obtained.

(d) complete and accurate records as to the type of procedure, period of gestation, and any complications of each abortion are kept and maintained by the physician or surgeon and the medical facility, and are submitted to the State Department of Health within thirty (30) days of the operation. The names of all persons submitting to an abortion shall remain confidential.

(e) the prospective mother had engaged in at least two consultations with a counselor who has been approved by a Montana mental health clinic.

(2) Nothing in this section shall require any hospital, clinic or any person to participate in such abortion. Nor shall any hospital, clinic or person be held liable for such refusal, nor shall the same be subject to any disciplinary or recriminatory action for such refusal, nor may refusal by any person to participate in abortion be made a consideration in employment practices of any medical facility.

Section 4. Any person who knowingly and intentionally violates this act shall be fined not more than one thousand dollars (\$1,000) or imprisoned in the state prison not more than five (5) years, or both such fine and imprisonment.

Section 5. Nothing in this act shall penalize a person for, or prohibit an abortion performed at any time by a licensed physician where it is necessary in appropriate medical judgment for the preservation of the life or health of the mother.

Section 6. The State Board of Health shall establish regulations and reporting procedures to implement the provisions of this act.

Section 7. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid application.

Section 8. It is the intent of the legislature to restrict abortion to the extent permissible under decisions of the appropriate courts or paramount legislation. Should such decisions or paramount legislation permit further restrictions at any time hereafter, sections 94-401 and 94-402, R.C.M. 1947, shall be deemed to include such further restrictions, the legislature not hereby delegating authority, but intending, rather, to preserve the restrictions in such sections to the greatest extent possible.

For this reason, section 94-401 and 94-402, R.C.M. 1947, are not hereby repealed but are retained in force, subject to the restrictions in this act set forth and only as limited by said court decisions and paramount law. Insofar as the provisions of Sections 94-401 and 94-402, R.C.M. 1947, are not superceded by this act, they remain in force.

And as amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be amended on page 1, on the key line (line 4) after the figure "94-3616" by striking "[, 94-3617, 94-3618, 94-3619]", and

Further amend on page 1, in the title, line 10 after the word and punctuation "act;" by striking "[and repealing Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947.]" and inserting in lieu thereof "and amending Section 94-3616, R.C.M. 1947.", and

Further amend on page 2, section 2, subsection (1), line 19, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 2, section 2, subsection (2), line 25, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 3, section 2, subsection (3), line 5, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 3, section 2, subsection (4), line 12 after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 3, section 2, subsection (6), line 19, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 4, section 2, subsection (8), line 5, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 4, section 2, subsection (9), line 12, after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 4, section 3, line 19 after the word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 5, section 4, subsection (1), line 1 after the



word "supplies" by adding "not requiring a prescription for dispensing", and

Further amend on page 5, section 4, subsection (1), line 2 after the word "furnished" by inserting "only", and

Further amend on page 5, section 4, subsection (1), line 2 after the word "physician" by inserting "or registered pharmacist", and

Further amend on page 5, section 4, subsection (1), line 6 after the word "been" by striking the remainder of subsection (1) in its entirety, as follows: "[referred for such services by another physician, a clergyman, a family planning clinic, a school or institution of higher learning, or any agency or instrumentality of the state or any subdivision thereof, or who requests and is in the need of birth control procedures, supplies or information.]" and insert in lieu thereof "properly referred for such services.", and

Further amend on page 6, line 1 by striking all of section 7 in its entirety, as follows: "[Section 7. Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947, are repealed.]", and insert in lieu thereof the following new section 7, to read as follows: "Section 7. Section 94-3616 is amended to read as follows: "94-3616 (11148.1) Contraceptives, sex-inciting devices, articles for prevention of venereal disease, sale or disposal of prohibited, when. It shall be unlawful for any person, firm, corporation, copartnership, or association to sell, offer for sale, or give away, through the medium of vending machines, personal or collective distribution, by solicitation, peddling or in any other manner whatsoever, contraceptive devices, prophylactic rubber goods, articles for the prevention of venereal diseases, and other infections, or any sex-inciting devices or contrivance in the state of Montana. The foregoing provisions shall not apply to regularly licensed practitioners of medicine, osteopathy or other licensed persons practicing other healing arts, and registered pharmacists of the state of Montana, not to wholesale drug jobbers or manufacturers who sell to the retail stores only, except as provided by the provisions of House Bill No. 202 of the 1973 Legislative Assembly."

And as amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 521, respectfully report as follows: That House Bill No. 521 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 be amended on page 1, section 1, line 16 after the word "existing" by inserting the word "state", and

Further amend on page 1, section 2, line 24 after the words "facilities for" by striking "[five (5)]" and inserting in lieu thereof "two (2)", and

Further amend on page 2, section 2, line 4 after the words "more than" by striking "[twenty (20)]" and inserting in lieu thereof "twelve (12)", and



Further amend on page 3, line 12, by striking the existing section 6 in its entirety, as follows: "[Section 6. The department of institutions is authorized to apply for and receive federal aid money or other assistance which may be available for programs in the nature of the program created by this act.]" and inserting in lieu thereof a new section 6, to read: "Section 6. Community homes for the developmentally disabled will be considered for the purposes of this act to be hospital related facilities if they provide care for three (3) or more patients who have been evaluated by the department of social and rehabilitation services as requiring skilled care, and such facilities will be required to comply with the licensing requirements of sections 69-5205, 69-5206, 69-5207, 69-5208, 69-5210, 69-5211, 69-5218, 69-5219.1, 69-5220, and Chapter 53, Title 69, R.C.M. 1947, provided, however that the license fee may be waived by the department of health. Community homes for developmentally disabled persons under the age of eighteen (18) years will be licensed under the provisions of Section 10-522, R.C.M. 1947.", and

Further amend by renumbering subsequent sections to conform numerically, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 14, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 be amended on page 1, section 1, subsection (2), line 20 after the word and punctuation "female," by inserting the words "her unclothed", and

Further amend on page 1, section 1, subsection (3), line 22 after the word "torture" by inserting "with or without physical restraint,", and

Further amend on page 1, section 1, subsection (3), line 23 after the word "costume" by striking the following material "[, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed]", and

Further amend on page 2, section 2, line 15 after the word and punctuation "facility," by inserting "or place normally habited by minors," and

Further amend on page 2, section 2, subsection (1), line 19 after the word "depicts" by inserting "or appears to depict,", and

Further amend on page 2, section 2, line 21 through and including page 3, line 3, by striking subsection (2) in its entirety as follows: "[ (2) depicts or appears to depict nudity, or actual or simulated sexual conduct or sade masochistic abuse, with the area of the male or female subject's unclothed or apparently unclothed genitals, pubic area of buttocks, or of the female subject's unclothed or apparently unclothed breast, obscured by a covering or mark placed or printed on or in front of the material displayed, or obscured or altered in any other manner.]" and inserting in lieu thereof the following section 3: "Section 3. A theater may not display previews or projections advertising or promoting motion pictures other than the motion pictures then being featured if such previews, or projections offer a display or sexual material, as defined herein, of a more offensive standard than the motion picture then featured; such standards to be determined by existing industry rating standards.", and

Further amend on page 3, line 4 by renumbering the existing section 3 to read "Section 4.", and

Further amend on page 3, at the end of the bill, by inserting a new section 5, to read "Section 5. No portion of this bill shall apply to outdoor movies before January 1, 1974.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

#### MESSAGES FROM THE GOVERNOR

February 14, 1973

Honorable Harold Gerke

Speaker of the House

State Capitol

Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 91, 95 and 106.

Sincerely,

THOMAS L. JUDGE

Governor

Fasbender moved that the House adjourn until 10:00 a.m., February 15, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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#### FORTIETH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 15, 1973

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Walborn, Zimmer and Haines, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 488.

QUILICI, Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 349 and 358.

QUILICI, Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 133, 146, 162, 330, 359, 427, 434, 455, 461, 542, 538, 559 and House Joint Resolution No. 29.

QUILICI, Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 12, respectfully report as follows: That Senate Joint Resolution No. 12 be concurred in.

COTTON, Vice-Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be not concurred in.

COTTON, Vice-Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Halvorsen, Hodges, Holtz, Huenekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Laas, Lien, Lundgren, McKittrick, Manuel, Marks, Mercer, Nichols, Olson, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Swanberg, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 55.

Noes: Bell, Bennetts, Bradley, Brand, Campbell, Colberg, Glennen, Hager, H. Harper, Healy, Holmes, Kimble, Kvaalen, Lee, Lockrem, Lombardi, Lund, Lynch, Marbut, Menahan, Murphy, Quilici, Schye, Stoltz, Tierney. Total 25.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Brown, Burnett, Castles, Fagg, Fasbender, Hageman, Hall, R. Harper, Hubing, Kolstad, Lucas, Mehrens, Norman, Prevost, Selstad, Towe, Watt. Total 17.

February 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be concurred in.

Report adopted.

COTTON, Vice-Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 288, respectfully report as follows: That Senate Bill No. 288 be concurred in.

Report adopted.

COTTON, Vice-Chairman

January 25, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do pass.

Report adopted.

WATT, Chairman

January 29, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 489, respectfully report as follows: That House Bill No. 489 do pass.

Report adopted.

WATT, Chairman

## MESSAGES FROM THE SENATE

February 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolution were this day read three several times and passed, title and history agreed to and the bills are herewith transmitted to the House:

Senate Bill No. 208, introduced by Turnage, Moore, et al

Senate Bill No. 339, introduced by McNamer, Lynch, et al

Senate Bill No. 180, introduced by Bollinger, Breeden and Himsl

Senate Bill No. 137, introduced by Siderius

Senate Bill No. 356, introduced by McNamer

Senate Joint Resolution No. 21, introduced by Carl, James, et al

Senate Bill No. 406, introduced by James

Senate Bill No. 361, introduced by Committee on Highways and Transportation (by request)

Senate Bill No. 360, introduced by Committee on Highways and Transportation (by request)

Senate Bill No. 233, introduced by Lynch

Senate Bill No. 230, introduced by Harrison and McGowan



Senate Bill No. 249, introduced by Flynn and Lynch  
Senate Bill No. 250, introduced by Flynn and Lynch  
Senate Bill No. 251, introduced by Carl and McKeon  
Senate Bill No. 261, introduced by Lynch and Groff  
Senate Bill No. 275, introduced by Flynn  
Senate Bill No. 338, introduced by McNamer, Thiessen, et al  
Senate Bill No. 53, introduced by Nees and Keenan  
Senate Bill No. 136, introduced by Siderius

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate  
February 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 83, introduced by Lynch  
Senate Bill No. 104, introduced by James and Himsl  
Senate Bill No. 179, introduced by Bertsche  
Senate Bill No. 198, introduced by Thiessen and Carl  
Senate Bill No. 303, introduced by McKeon  
Senate Bill No. 337, introduced by McNamer  
Senate Bill No. 340, introduced by McNamer  
Senate Bill No. 341, introduced by McNamer  
Senate Bill No. 353, introduced by McKeon  
Senate Bill No. 359, introduced by Carl, Deschamps, et al  
Senate Bill No. 369, introduced by Committee on Highways and Transportation (by request)  
Senate Bill No. 381, introduced by Siderius and Carl  
Senate Bill No. 417, introduced by Harrison  
Senate Joint Resolution No. 35, introduced by Groff and Mathers

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Ulmer moved that the committee report on House Bill No. 280 be brought before the House for adoption. Ulmer requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kosen, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mehrens, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 49.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Mr. Speaker. Total 49.

Excused: Zimmer. Total 1.

Paired: Haines, aye; Fasbender, no; Walborn, aye; Yardley, no.

Absent or not voting: Menahan. Total 1.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 21, introduced by Carl, James, Hazelbaker, Rosell, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the construction laws of the State of Montana and direct that said laws be recodified into a modern and adequate construction code. Referred to Committee on State Administration.

Senate Joint Resolution No. 35, introduced by Groff and Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging the Department of Natural Resources and Conservation to investigate the feasibility of the state constructing water resource projects to supply water, if needed, for coal development in eastern Montana. Referred to Committee on Natural Resources.

Senate Bill No. 53, introduced by Nees, Keenan: A bill for an act entitled: "An act to provide a definition of residency to determine county or state responsibility for financial support of general relief recipients; and to repeal Section 71-302, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 83, introduced by Lynch: A bill for an act entitled: "An act amending Section 43-205, R.C.M. 1947, providing that both sessions of the Legislative Assembly shall meet on the first Monday in January." Referred to Committee on Legislative Administration.

Senate Bill No. 104, introduced by James, Himsel: A bill for an act entitled: "An act amending Section 75-5933, R.C.M. 1947, providing for the recommendation of the district superintendent, the county high school principal, or other principal, as the school district trustees may deem necessary before hiring personnel." Referred to Committee on Education.

Senate Bill No. 136, introduced by Siderius: A bill for an act entitled: "An act providing for amendatory language to an existing funding procedure provided in a new section; and repealing Section 92-116, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 137, introduced by Siderius: A bill for an act entitled: "An act providing for housekeeping deletion of language referring to major and minor dependents not residing in the United States at the time

of the injury; amending Section 92-708, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 179, introduced by Bertsche: A bill for an act entitled: "An act amending Section 82-1135, R.C.M. 1947, to define the type of cost plus system that is prohibited in awarding contracts for the State of Montana; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 180, introduced by Bollinger, Breeden, Himsl: A bill for an act entitled: "An act to amend the mileage allowance of all county officials; amending Section 59-801, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for all county officials; amending Section 59-802, R.C.M. 1947, to include all county officials' mileage allowance at twelve cents (\$.12) a mile; amending Section 16-2723, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for sheriffs; and amending Section 93-313, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for traveling expenses of district judges." Referred to Committee on State Administration.

Senate Bill No. 198, introduced by Thiessen, Carl: A bill for an act entitled: "An act amending Section 32-1123, R.C.M. 1947, to delete the requirement that implements of husbandry having a width in excess of twelve (12) feet moved or propelled upon the highway shall be followed by flagmen escorts." Referred to Committee on Highways and Transportation.

Senate Bill No. 208, introduced by Turnage, Moore, Groff, Lynch: A bill for an act entitled: "An act requiring local governing bodies to adopt subdivision regulations; providing for the administrative establishments of procedures and requirements for preparation of subdivision plats; setting forth requirements for surveying and platting divisions of real property and for recording surveys and plats; providing for surveying, platting, and sub-dividing generally; and repealing Sections 11-601 through 11-616, 11-3843 through 11-3848 and 11-3851, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 230, introduced by Harrison, McGowan: A bill for an act entitled: "An act revising Section 89-702, R.C.M. 1947, relating to the construction of dams and dikes, for drafting style and amending Section 89-702.1, R.C.M. 1947, relating to the jurisdiction of the Department of Natural Resources and conservation in inspecting dams" Referred to Committee on Natural Resources.

Senate Bill No. 233, introduced by Lynch: A bill for an act entitled: "An act amending Section 53-1020, R.C.M. 1947, to change the point of measurement of the allowable sound level for snowmobiles from fifteen (15) feet to (15) meters." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 249, introduced by Flynn, Lynch: A bill for an act entitled: "An act to amend Section 4-303, R.C.M. 1947, 'closing hours for license retail beer establishments,' by deleting any reference to biennial general or primary elections." Referred to Committee on State Administration.

Senate Bill No. 250, introduced by Flynn, Lynch: A bill for an act entitled: "An act to amend Section 4-414, R.C.M. 1947, 'hours for sale of liquor,' by deleting any reference to biennial general or primary election." Referred to Committee on State Administration.

Senate Bill No. 251, introduced by Carl, McKeon: A bill for an act entitled: "An act to amend Section 78-1101, R.C.M. 1947, to provide how moneys received by the state as indemnification for damage to state



buildings may be spent and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 261, introduced by Lynch, Groff: A bill for an act entitled: "An act amending Section 75-6905, R.C.M. 1947, to raise the maximum budget schedules for elementary and high schools." Referred to Committee on Education.

Senate Bill No. 275, introduced by Flynn: A bill for an act entitled: "An act to amend Section 62-503 to pay members of the Board of Horse Racing; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 303, introduced by McKeon: A bill for an act entitled: "An act amending Section 84-4914, R.C.M. 1947, to establish new gross income standards for determining liability to file returns; and to provide requirements for filing returns by nonresidents." Referred to Committee on Taxation.

Senate Bill No. 337, introduced by McNamer: A bill for an act entitled: "An act to amend Section 91-3108, R.C.M. 1947, to include coal as a mineral which an executor, administrator or guardian can lease for ten (10) years and thereafter." Referred to Committee on Judiciary.

Senate Bill No. 338, introduced by McNamer, Thiessen, Boylan, Vainio: A bill for an act entitled: "An act to amend Sections 11-3702, 11-3705, 11-3709, 11-3710, 11-3711, 11-3712, 11-3718, 11-3720 and 11-3723, R.C.M. 1947, relating to the acquisition, construction, establishment, maintenance, financing, and leasing of off-street parking and related facilities by cities and parking commissions thereof; authorizing revenue bonds issued for such facilities to be secured by the pledge of on-street and off-street parking revenues, special assessments, reserves to be maintained by transfer from other city funds and the levy of taxes limited to the amount of deficiencies in the reserve; mortgages of facilities paid for from the proceeds of the bonds; and providing an effective date." Referred to Committee on Local Government.

Senate Bill No. 339, introduced by McNamer, Lynch, Moore, Vainio, Harrison, Flynn, Bollinger, Gilfeather, Rosell, Hall: A bill for an act entitled: "An act to amend Sections 59-801, 59-802, 59-538 and 59-539, R.C.M. 1947, to increase mileage and per diem allowances for public employees and officers." Referred to Committee on State Administration.

Senate Bill No. 340, introduced by McNamer: A bill for an act entitled: "An act creating a new section to provide for the collection of certain miscellaneous fees by justices of the peace." Referred to Committee on Judiciary.

Senate Bill No. 341, introduced by McNamer: A bill for an act entitled: "An act creating a new section providing when justices of the peace shall retain or remit fees." Referred to Committee on Judiciary.

Senate Bill No. 353, introduced by McKeon: A bill for an act entitled: "An act to amend Section 75-6323, R.C.M. 1947, providing for the audit of school district extracurricular funds by the state examiner." Referred to Committee on Education.

Senate Bill No. 356, introduced by McNamer: A bill for an act entitled: "An act creating a new section to provide for fees of justices of the peace in criminal actions." Referred to Committee on Judiciary.

Senate Bill No. 359, introduced by Carl, Deschamps, Flynn, McDonald: A bill for an act entitled: "An act to amend Section 75-7008, R.C.M. 1947, to allow the tendering of an individual transportation contract to a parent or guardian of a school district to fulfill the responsibility of the school



district for transportation; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 360, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 16-2818, R.C.M. 1947, by providing the amount which various counties can be reimbursed by the Highway Patrol Bureau, department of law enforcement and public safety, for prisoner board bill; and defining the word "day" for the purpose of this act." Referred to Committee on Highways and Transportation.

Senate Bill No. 361, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act requiring the state treasurer to credit the state highway account in the earmarked revenue fund with moneys received under the act of congress of February 25, 1920." Referred to Committee on State Administration.

Senate Bill No. 369, introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 53-431, R.C.M. 1947, providing a six (6) year limitation of driver license and registration suspensions resulting from unsatisfied judgments." Referred to Committee on Highways and Transportation.

Senate Bill No. 381, introduced by Siderius, Carl: A bill for an act entitled: "An act to amend Sections 66-101, 66-103, 66-107, 66-108, 66-109 and 66-112, R.C.M. 1947, to provide for staggered terms for members of the Board of Architects; to provide definitions; to raise examination fees; to provide for compensation of board members; and to provide grounds for disciplinary action." Referred to Committee on State Administration.

Senate Bill No. 406, introduced by James: A bill for an act entitled: "An act to be codified in Chapter 15, Title 66, R.C.M. 1947, relating to the sale and advertisement of contraceptive drugs and devices; providing penalties; and repealing Sections 94-3616, 94-3617, 93-3618 and 94-3619 R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 417, introduced by Harrison: A bill for an act entitled: "An act amending Section 11-3909, R.C.M. 1947, relating to the disposal of real property in areas of urban renewal." Referred to Committee on Local Government.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Swanberg moved that House Bill No. 160 be amended in Section 1, page 4, line 1, of the Third Reading Bill after the word "The" by adding the following language "first ten days of a"

And further amend on page 4, line 4 after the word "probation" by striking the period and inserting the following new material "during the first ten days". (88-0)

Motion carried.

House Bill No. 160 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena,

Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKitt-  
rick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols,  
Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye,  
Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg,  
Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Greely, Tierney, Towe. Total 3.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Colberg, Hager, Lundgren. Total 4.

House Bill No. 220 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell,  
Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow,  
Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender,  
Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman,  
Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,  
Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner,  
Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi,  
Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens,  
Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts,  
Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Steph-  
ens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield,  
Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Norman, Watt. Total 3.

House Bill No. 260 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell,  
Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow,  
Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming,  
Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall,  
Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing,  
Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad,  
Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lund-  
gren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mer-  
cer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts,  
Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Steph-  
ens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield,  
Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Colberg. Total 2.

House Bill No. 261 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett,  
Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,  
Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fas-  
bender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hage-  
man, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz,  
Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad,  
Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lund-  
gren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan,  
Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts,  
Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Steph-

ens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Halvorson, Johnston. Total 2.

House Bill No. 281 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hager, Halvorson, R. Harper, Healy, Holtz, Jacobsen, Jones, Kendall, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Marbut, Marks, Mehrens, Menahan, Mercer, Olson, Quilici, Regan, Rolfe, Schepens, Shelden, Smith, Stephens, Tierney, Towe, Turner, Ulmer, Warfield. Total 55.

Noes: Ainsworth, Bardanouve, Baucus, Bennetts, Burnett, Cox, Driscoll, East, Greely, Gunderson, Hageman, Hall, H. Harper, Hodges, Holmes, Hubing, Huennekens, Johnston, Kessner, Kimble, Kolstad, Lundgren, Lynch, McKittrick, Manuel, Murphy, Nichols, Norman, Prevost, Roberts, Seifert, Selstad, Staigmiller, Stoltz, Turman, Watt, Yardley, Mr. Speaker. Total 38.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Galt, Lockrem, Schye, Swanberg. Total 4.

House Bill No. 309 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Holmes. Total 2.

House Bill No. 325 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Aageson, Burnett, Huennekens, Kolstad, Menahan. Total 5.

Excused: Haines, Walborn, Zimmer. Total 3.



Absent or not voting: Nichols, Schye. Total 2.

House Bill No. 344 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Bardanouve, Burnett, East, Galt, Hubing, Kvaalen, Lien, Rolfe, Selstad, Turner, Ulmer. Total 11.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Jacobsen, Mehrens. Total 2.

House Bill No. 357 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Ainsworth, Barrett, Bell, Burnett, Castles, Clemow, Cox, East, Ellerd, Flynn, Galt, Glennen, Holtz, Jones, Kessner, Kvaalen, Lockrem, Lund, Lundgren, Marks, Mercer, Olson, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Asbjornson. Total 32.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: None.

House Bill No. 400 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Lund, Turner. Total 2.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Burnett, Cotton, Forsgren. Total 3.



House Bill No. 406 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, War-field, Watt, Yardley, Mr. Speaker. Total 95.

Noes: Hall. Total 1.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Turner. Total 1.

House Bill No. 409 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 77.

Noes: Brand, Driscoll, Fاسبender, Flynn, Greely, Gunderson, Healy, Kimble, Kosena, Lee, Lombardi, Lynch, Mehrens, Menahan, Prevost, Quilici, Stoltz, Swanberg, Yardley. Total 19.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Regan. Total 1.

House Bill No. 435 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fagg, Fاسبender, Fleming, Forsgren, Galt, Glennen, Greely, Hager, Halvorson, H. Harper, R. Harper, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Brand, Burnett, Driscoll, Ellerd, Flynn, Gunderson, Hageman, Healy, Hodges, Huennekens, Kessner, Kolstad, Kosena, Lee, Lombardi, Lynch, Mehrens, Menahan, Nichols, Quilici, Smith, Staig-miller, Stephens. Total 23.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Hall, Kimble. Total 2.

House Bill No. 470 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Greely, Gun-derson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes,

Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Bell, Burnett, Campbell, Edland, Galt, Glennen, Hageman, Hodges, Jacobsen, Kessner, Lien, Mercer, Olson, Prevost, Seifert, Selstad, Smith. Total 17.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Forsgren, Marks, Schye. Total 3.

House Bill No. 471 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: Kimble, Norman. Total 2.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Schye. Total 1.

House Bill No. 486 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Clemow, Hodges, Kessner, Prevost, Turner. Total 5.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: None.

Towe moved to amend House Bill No. 523 on page 1, line 12 of Second Reading Bill by adding the words "renewal of" after the word "of".

And further amend on page 1, line 13 by deleting the words "[renewal of]". (62-33).

Motion carried.

(Material in brackets denotes cancelled type.)

House Bill No. 523 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Mr. Speaker. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hageman, Halvorson, Holtz, Hubing, Jones, Kendall, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Rolfe, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Warfield, Yardley. Total 41.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: None.

House Bill No. 543 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Olson, Turner. Total 2.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Brand, Castles, Colberg, Halvorson, Hubing. Total 6.

House Joint Resolution No. 15 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Galt, Greely, Hageman, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Marks, Olson, Schye, Seifert, Selstad, Smith, Staigmiller, Warfield. Total 25.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Edland, Hager, Kendall, Nichols. Total 4.

House Joint Resolution No. 30 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Cotton, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hall, R. Harper,



Healy, Hodges, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Quilici, Rolfe, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Mr. Speaker. Total 53.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Castles, Clemow, Cox, Driscoll, Glennen, Hager, Halvorson, H. Harper, Holmes, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lund, Marks, Mehrens, Mercer, Nichols, Olson, Prevost, Regan, Schepens, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Warfield, Watt, Yardley. Total 37.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Colberg, Fasbender, Kendall, Lundgren, Roberts, Schye, Shelden. Total 7.

House Bill No. 444 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 84.

Noes: East, Hubing, Schye, Warfield. Total 4.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Clemow, Fasbender, Hall, Kendall, Lien, Marks, Regan, Roberts, Staigmiller. Total 9.

House Bill No. 360 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Lien, Marks. Total 2.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Kendall, Laas, Olson, Smith. Total 4.

House Bill No. 343 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kessner, Kolstad, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shel-



den, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Ainsworth, Asbjornson, Barrett, Cox, East, Ellerd, Flynn, Galt, Glennen, Holtz, Hubing, Jones, Kosena, Kvaalen, Lockrem, Lucas, Lundgren, Mercer, Nichols, Olson, Rolfe, Seifert, Selstad, Turner, Ulmer, Warfield. Total 26.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Kendall, Kimble, Smith. Total 3.

House Bill No. 215 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Bennetts, Brand, Kendall, Roberts. Total 4.

House Bill No. 216 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 93.

Noes: Glennen, Watt. Total 2.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Burnett, Roberts. Total 2.

House Bill No. 288 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Colberg, Cox, Ellerd, Kolstad, Staigmiller. Total 6.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Ainsworth, Norman, Roberts, Shelden. Total 4.

House Bill No. 338 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Bardanouve, Brand, Burnett, Edland, Ellerd, Forsgren, Greely, Hall, H. Harper, Holmes, Kessner, Kolstad, Lockrem, Mercer, Nichols, Regan, Rolfe, Schye, Selstad. Total 19.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Roberts. Total 1.

House Bill No. 386 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hage-man, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Bell, Hager, Kvaalen, Olson, Prevost, Turner. Total 6.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Mehrens, Roberts. Total 2.

House Bill No. 512 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Regan, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Burnett, Kolstad, Marks, Rolfe. Total 4.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Castles, Laas, Lundgren, Roberts. Total 4.

## REPORTS OF STANDING COMMITTEES

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 be amended on page 1, in the title, line 5 after the word "employee" by striking "[without just cause]", and

Further amend on page 1, section 1, line 14 after the word "employee" by striking "[unless for just cause]", and

Further amend on page 1, section 1, line 15 after the word "has" by striking the word "[made]" and inserting in lieu thereof "filed", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 567, respectfully report as follows: That House Bill No. 567 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 do not pass.

McKITTRICK, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greeley, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Haines, Walborn, Zimmer. Total 3.

Absent or not voting: Brand, Cox, Edland, Ellerd, Galt, Halvorson, Kendall, Kimble, Marks, Mehrens, Nichols, Roberts, Selstad, Shelden, Warfield, Watt. Total 16.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Yardley moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Laas in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 153 be amended in Section 1, page one, line 16, by deleting figures "[1969]." And in its place insert the figures "1973." (73-0).

And as amended, do pass (47-0).

That House Bill No. 425 do pass (67-25).

That House Bill No. 428 do pass (59-38).

That the Committee rise and report and beg leave to sit again.

(Material brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

Fasbender moved that the House recess until 2:00 p.m. this day.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Laas in the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 123 be amended in the title on line 9 of the introduced bill, after the semicolon ";" by striking the remaining material on line 9 and adding the following new material: "and providing for a limitation on the general fund budget increases; amending Sections 75-6905, 75-6923," and (72-21)

Be further amended in Section 2, page 10, line 8 of the introduced bill, by striking Section 2 in its entirety and adding the following material:

"Section 2. Section 75-6923, R.C.M. 1947, is amended to read as follows:

"75-6923. Additional levy for general fund and election for authoriza-



tion to impose. The trustees of any district may propose to adopt a general fund budget in excess of the general fund budget amount for such district as established by the schedule in section 75-6905 for any of the following purposes:

- (1) building, altering, repairing or enlarging any schoolhouse of the district;
- (2) furnishing additional school facilities for the district;
- (3) acquisition of land for the district;
- (4) proper maintenance and operation of the school programs of the district.

However, if the general fund budget of a school district exceeds the maximum budget as determined under Section 75-6905 the trustees may not adopt a general fund budget which exceeds one hundred and five percent (105%) of the general fund budget for the preceding year, unless such budget is adopted under conditions as provided in Sections 76-6723 through 75-6730 as adopted under 75-6903."

When the trustees of any district determine that an additional amount of financing is required for the general fund budget that is in excess of the statutory schedule amount, the trustees shall submit the proposition of an additional levy to raise such excess amount of general fund financing to the electors who are qualified, under section 75-6410, to vote upon such proposition. Such special election shall be called and conducted in the manner prescribed by this Title for school elections. The ballot for such elections shall state the amount of money to be raised by additional property taxation, the approximate number of mills required to raise such money, and the purpose for which such money will be expended, and it shall be in the following format:

#### PROPOSITION

Shall a levy be made in addition to the levies authorized by law in such number of mills as may be necessary to raise the sum of (state the amount to be raised by additional tax levy), and being approximately (give number) mills, for the purpose of (insert the purpose for which the additional tax levy is made) ?

FOR the additional levy.

AGAINST the additional levy.

If the election on any additional levy for the general fund is approved by a majority vote of those electors voting at such election, the proposition shall carry and the trustees may use any portion or all of the authorized amount in adopting the preliminary general fund budget. The trustees shall certify the additional levy amount authorized by such a special election on the budget form that is submitted to the county superintendent and the county commissioners shall levy such number of mills on the taxable value of all taxable property within the district as prescribed in section 75-6926, as are required to raise the amount of such additional levy.

Authorization to levy an additional tax under the provisions of this section shall be effective for only one school fiscal year and shall be authorized by a special election conducted before the first day of August of the school fiscal year for which it is effective. Only one such additional levy for the maintenance and operation of the school programs of a high school district may be imposed by a high school district in a given school fiscal year."

"Section 3. This act is effective upon its passage and approval."  
(55-33)

And be further amended in Section 1, page 5, line 7 through and including line 9 on page 10 of the second reading and introduced bill, by striking line 7 on page 5 and by striking subsections (1) through (10) in their entirety and inserting in lieu thereof the following:

“(1) For each elementary school having an ANB of nine (9) or fewer pupils, the maximum shall be eight thousand two hundred sixty-nine dollars, (\$8,269) if said school is approved as an isolated school.

(2) For schools with an ANB of ten (10) pupils, but less than eighteen (18) pupils, the maximum shall be eight thousand two hundred sixty-nine dollars (\$8,269) plus two hundred seventy-five dollars (\$275) per pupil on the basis of the average number belonging over nine (9).

(3) For schools with an ANB of eighteen (18) pupils and employing one (1) teacher, the maximum shall be ten thousand seven hundred thirty-one dollars (\$10,731) plus three hundred seventy dollars (\$370) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of twenty-five (25).

(4) For schools with an ANB of eighteen (18) pupils and employing two (2) full-time teachers, the maximum shall be eighteen thousand six hundred eighty-eight dollars (\$18,688) plus two hundred forty-nine dollars (\$249) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of fifty (50).

(5) For schools having an ANB in excess of forty (40) the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

For a school having an ANB of more than forty (40) and employing a minimum of three (3) teachers, the maximum of six hundred seventy-four dollars (\$674) shall be decreased at the rate of forty-seven cents (\$.47) for each additional pupil until the total number (ANB) shall have reached a total of one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, the maximum of six hundred forty-five dollars (\$645) shall be decreased at the rate of fifty-six cents (\$.56) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum shall not exceed five hundred thirty-three dollars (\$533) for each pupil.

(6) The maximum per pupil, for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All elementary schools operated within the incorporated limits of a city or town shall be treated as one (1) school for the purpose of this schedule.

(7) For each elementary school having an ANB of nine (9) or fewer pupils, the maximum shall be nine thousand thirteen dollars (\$9,013), if said school is approved as an isolated school.

(8) For schools with an ANB of ten (10) pupils, but less than eighteen (18) pupils, the maximum shall be nine thousand thirteen dollars (\$9,013) plus three hundred dollars (\$300) per pupil on the basis of the average number belonging over nine (9).

(9) For schools with an ANB of eighteen (18) pupils and employing one (1) teacher, the maximum shall be eleven thousand seven hundred dollars (\$11,700) plus four hundred three dollars (\$403) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of twenty-five (25).

(10) For schools with an ANB of eighteen (18) pupils and employing two (2) full-time teachers, the maximum shall be twenty thousand three hundred seventy dollars (\$20,370) plus two hundred seventy-one dollars

(\$271) per pupil on the basis of the average number belonging over eighteen (18) not to exceed an ANB of fifty (50).

(11) For schools having an ANB in excess of forty (40) the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

For a school having an ANB of more than forty (40) and employing a minimum of three (3) teachers, the maximum of seven hundred thirty-five dollars (\$735) shall be decreased at the rate of fifty-one cents (\$.51) for each additional pupil until the total number (ANB) shall have reached a total of one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, the maximum of seven hundred three dollars (\$703) shall be decreased at the rate of sixty-one cents (\$.61) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum shall not exceed five hundred eighty-one dollars (\$581) for each pupil.

(12) The maximum per pupil, for all pupils, (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All elementary schools operated within the incorporated limits of a city or town shall be treated as one (1) school for the purpose of this schedule.

(13) For each high school having an ANB of twenty-five (25) to forty (40) pupils inclusive, the maximum shall be sixty thousand dollars (\$60,000).

(14) For a school having an ANB of more than forty (40) pupils, the maximum of one thousand four hundred ninety-seven dollars (\$1,497) shall be decreased at the rate of seven dollars and twenty cents (\$7.20) for each additional pupil until the ANB shall have reached one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, a maximum of one thousand sixty-four dollars (\$1,064) shall be decreased at the rate of two dollars and thirty-five cents (\$2.35) for each additional pupil until the ANB shall have reached two hundred (200) pupils. For a school having an ANB of more than two hundred (200) pupils, the maximum of eight hundred thirty dollars (\$830) shall be decreased by fifty-three cents (\$.53) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum of seven hundred seventy-seven dollars (\$777) shall be decreased at the rate of fourteen cents (\$.14) until the ANB shall have reached six hundred (600) pupils. For a school having an ANB over six hundred (600) pupils, the maximum shall not exceed seven hundred thirty-six dollars (\$736) per pupil.

(15) The maximum per pupil for all pupils (ANB) and for all high schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town shall be treated as one (1) school for the purpose of this schedule.

#### High School Schedule for 1974-75

(16) For each high school having an ANB of twenty-five (25) to forty (40) pupils inclusive, the maximum shall be sixty-five thousand four hundred dollars (\$65,400).

(17) For a school having an ANB of more than forty (40) pupils, the maximum of one thousand six hundred thirty-two dollars (\$1,632) shall be decreased at the rate of seven dollars and eight-five cents (\$7.85) for each additional pupil until the ANB shall have reached one hundred (100) pupils.



For a school having an ANB of more than one hundred (100) pupils, a maximum of one thousand one hundred sixty dollars (\$1,160) shall be decreased at the rate of two dollars and fifty-six cents (\$2.56) for each additional pupil until the ANB shall have reached two hundred (200) pupils. For a school having an ANB of more than two hundred (200) pupils, the maximum of nine hundred five dollars (\$905) shall be decreased by fifty-eight cents (\$.58) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum of eight hundred forty-seven dollars (\$847) shall be decreased at the rate of fifteen cents (\$.15) until the ANB shall have reached six hundred (600) pupils. For a school having an ANB over six hundred (600) pupils, the maximum shall not exceed eight hundred two dollars (\$802) per pupil.

(18) The maximum per pupil for all pupils (ANB) and for all high schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town shall be treated as one (1) school for the purpose of this schedule.

(19) The general fund budget amount for an approved and accredited junior high school shall be prorated between the elementary district general fund budget and the high school district general fund budget in the following manner:

(a) determine the per-ANB schedule amount for the school, as defined by this section, from the high school schedule;

(b) calculate the ANB for the regularly enrolled full-time pupils enrolled in the seventh (7th) and eighth (8th) grades of the junior high school;

(c) multiply the per-ANB schedule amount determined in subsection (a) by the ANB calculated in subsection (b) to determine the authorized general fund budget amount which shall be available for the elementary district general fund budget; and

(d) subtract the amount determined in subsection (c) from the total authorized general fund budget amount for the school to determine the authorized general fund budget amount which shall be available for the high school district general fund budget.

The general fund budget amount determined for each school of a district under the schedules provided in this section shall be totaled to determine the maximum-general-fund-budget-without-a-voted-levy for such district.

Section 2. This act is effective upon its passage and approval. (53-42)

And as amended, do pass (92-3).

That House Bill No. 458 do pass (71-18).

That House Bill No. 298 do be deferred to the 1974 session.

That House Bill No. 468 be amended on page 7, section 5, subsection 5, line 22, after the word "any" by deleting the word "[work]" and inserting in lieu thereof the word "word", and (73-0)

Further amend on page 12, section 8, subsection 2, line 15, after the word "number" by inserting the words "of tons". (70-0)

And further amend in section 13, page 19, line 3 of the printed bill by striking the word "[felony]" and inserting the word "misdemeanor",



And further amend on line 4 by striking the word "[thousand]" and inserting the word "hundred", and

Further amend on line 5 by striking the figures [(\$3,000)] and inserting the figures (\$300), and

Further amend on line 6 by striking the words and figures "[five (5) years]" and inserting in lieu thereof the words and figures "one (1) year". (62-15)

Further amend on page 5, section 3, subsection (2), line 2 after the word "section" by inserting the following new material "by the manufacturer". (59-17)

And as amended, do pass (69-13).

That House Bill No. 472 do pass (80-1).

That House Bill No. 482 do pass (73-13).

That House Bill No. 490 do pass (84-0).

That House Bill No. 520 be passed after House Bill No. 528.

That House Bill No. 528 do pass (91-1).

That House Bill No. 520 be amended on page 1, in section 1(a), line 19, after "(a)", by striking "[two (2)]" and inserting in lieu thereof "three (3)",

And further amend on page 1, section 1(a), line 22, after "governor; the" by striking "[two (2)]" and inserting in lieu thereof "three (3)",

And further amend on page 1, section 1(b), line 25, after "(b)", by striking "[three (3)]" and inserting in lieu thereof "two (2)",

And further amend on page 4, section 2(a), line 22, after "(a)" by striking "[three (3)]" and inserting in lieu thereof "four (4)",

And further amend on page 4, section 2(a), line 25, at the beginning of the line, by striking "[three (3)]" and inserting in lieu thereof "four (4)",

And further amend on page 5, section 2(b), line 4, after "(b)", by striking "[four (4)]" and inserting in lieu thereof "three (3)",

And further amend on page 5, line 6, by deleting the word "[one]" and all of line 7, all of line 8 and the words "[Congressional District]" on line 9.

And as amended, do pass (74-8).

That House Bill No. 374 do pass (82-0).

That House Bill No. 492 be amended on page 5, section 3(1), line 10 of the Second Reading and Introduced Bills, after the word "facilities," by adding the new material, "Provided, however, that a reclamation contract or permit may be granted if a clear and convincing showing is made that substantial legal and financial commitments were incurred by an operator prior to the effective date of this act and that irreparable harm or damage will be suffered by the operator if the reclamation contract or permit is not granted." (86-5).

And as amended, do pass (50-49).

That House Bill No. 548 do pass (80-5).

That the Committee rise and report.

LAAS, Chairman

Report adopted.

#### REPORTS OF STANDING COMMITTEES

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 127, 207, 265, 407, 423, 440, 489, 202, 463 and 320.

QUILICI, Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 131, 199, 262, 263, 279, 335, 402, 424, 562, 342, 296 and 300.

QUILICI, Chairman

February 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 226, 297, 299, 303, 364, 310, 294, 364 and 428.

QUILICI, Chairman

Fasbender moved that the House adjourn until 10:00 a.m., February 16, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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#### FORTY-FIRST LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 16, 1973

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Zimmer, Haines, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 40th Legislative Day, find the same to be correct.

QUILICI, Chairman

February 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the

following bills correctly engrossed: House Bills Nos. 21, 368.

QUILICI, Chairman

February 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 176, 287, 313, 425, 458.

QUILICI, Chairman

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 285, respectfully report as follows: That Senate Bill No. 285 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 286, respectfully report as follows: That Senate Bill No. 286 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 287, respectfully report as follows: That Senate Bill No. 287 be concurred in.

KOSENSA, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Local Government, having had

under consideration Senate Joint Resolution No. 15, respectfully report as follows: That Senate Joint Resolution No. 15 be concurred in.

KOSENSA, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 15, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 196, introduced by Himsl and Manning

Senate Bill No. 214, introduced by Boylan, Breeden, et al

Senate Bill No. 278, introduced by Vainio, Bertsche & Turnage

Senate Bill No. 351, introduced by Mathers

Senate Bill No. 376, introduced by Gilfeather

Senate Joint Resolution No. 18, introduced by Bertsche, Turnage, et al

Senate Joint Resolution No. 31, introduced by Hall, Turnage, et al

Senate Bill No. 451, introduced by Committee on Legislative Administration

Senate Bill No. 426, introduced by Bertsche, Graham & Turnage

Senate Bill No. 81, introduced by McKeon

Senate Bill No. 80, introduced by McKeon

Senate Bill No. 220, introduced by McGowan, Turnage, et al

Senate Bill No. 237, introduced by Groff and Turnage

Senate Bill No. 112, introduced by Klindt, Graham, et al

Senate Bill No. 127, introduced by McKeon

Senate Bill No. 103, introduced by Groff, Turnage, et al

Senate Bill No. 133, introduced by Siderius, Lowe & Keenan

Senate Bill No. 139, introduced by McCallum, Turnage, et al (by request)

Senate Bill No. 182, introduced by Moore & Lynch

Senate Bill No. 221, introduced by McNamer & Sorenson

Senate Bill No. 238, introduced by James

Senate Joint Resolution No. 37, introduced by Vainio, Shea & Lynch

Senate Bill No. 178, introduced by Carl & James

Senate Bill No. 183, introduced by Bennett, Moore, et al

Senate Joint Resolution No. 16, introduced by Hazelbaker & McKeon

Senate Bill No. 138, introduced by Siderius

Senate Bill No. 413, introduced by Turnage & Bertsche



Senate Bill No. 159, introduced by McKeon

Senate Bill No. 7, introduced by Groff, McKeon & Cochrane

Senate Bill No. 124, introduced by Siderius

Senate Bill No. 131, introduced by Siderius & McKeon

Senate Bill No. 281, introduced by McKeon

Senate Bill No. 306, introduced by Darrow, Bertsche, et al

Senate Bill No. 318, introduced by Carl, Moritz, et al

Senate Bill No. 331, introduced by Lynch, McKeon, McGowan

Senate Bill No. 345, introduced by Zody & Vainio

Senate Bill No. 362, introduced by Committee on Highways & Transportation (by request)

Senate Bill No. 363, introduced by Committee on Highways & Transportation (by request)

Senate Bill No. 383, introduced by Lynch, Story, et al

Senate Bill No. 397, introduced by Vainio, Turnage & McKeon

Senate Bill No. 403, introduced by McNamer & Flynn

Senate Bill No. 407, introduced by McDonald, Goodheart, et al

Senate Bill No. 410, introduced by Bennett, McKeon & Gilfeather

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

February 15, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 300, introduced by James, Rosell, et al

Senate Bill No. 327, introduced by Bollinger & Turnage

Senate Bill No. 431, introduced by Thiessen & Bertsche

Senate Bill No. 447, introduced by McCallum, Turnage, et al

Senate Bill No. 18, introduced by Moore & Lynch (by request)

Senate Bill No. 254, introduced by Carl

Senate Bill No. 94, introduced by Bertsche, Cochrane, et al

Senate Bill No. 404, introduced by Bertsche, McGowan, et al

Senate Joint Resolution No. 23, introduced by Darrow, Broeder, et al

Senate Joint Resolution No. 30, introduced by Darrow

Senate Joint Resolution No. 33, introduced by Bollinger & McOmber

Senate Joint Resolution No. 39, introduced by Darrow, Bertsche, et al

Senate Bill No. 307, introduced by McDonald & Mathers  
 Senate Bill No. 329, introduced by DeWolfe, James & McOmber  
 Senate Bill No. 333, introduced by McKeon & Moore  
 Senate Bill No. 373, introduced by Bertsche, Hazelbaker & Groff  
 Senate Bill No. 443, introduced by McGowan & Bertsche  
 Senate Bill No. 393, introduced by McKeon  
 Senate Bill No. 411, introduced by Bertsche & Mathers  
 Senate Bill No. 201, introduced by Mathers, Thiessen & Bertsche  
 Senate Bill No. 343, introduced by Flynn, Darrow & McCallum  
 Senate Bill No. 427, introduced by McKeon

Respectfully yours,

WALTER H. MARSHALL

Secretary of the Senate

# MOTIONS AND RESOLUTIONS

Ulmer moved that an adverse committee report on House Bill No. 280 be taken from the Committee and be presented to the body for their approval.

As a substitute motion, Fasbender moved that House Bill No. 280 be postponed until the 1974 Session.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Mr. Speaker. Total 49.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kosen, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mehrens, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Zimmer. Total 51.

Paired: Haines, Aye; Zimmer, Nay.

Ulmer restated his motion to move that House Bill No. 280 committee report be read.

Lockrem requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kosen, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 53.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 46.

Absent or not voting: Holmes. Total 1.

Paired: Haines, Aye; Zimmer, Nay.

Holmes moved that the remarks made by Representative Lucas and Representative Hall on the Coal Moratorium be entered in the Journal.

Since neither one had their remarks in print, Mrs. Holmes withdrew her motion. The following remarks were written by Representative Holmes to be entered in the Journal:

"There are occasional revelatory moments in history when man's best thinking and his most noble sentiments meet and find expression in a single community experience. Such a moment occurred in the Montana House of Representatives on the evening of February 15, 1973. The issue at stake was the question as to whether or not there should be a pause in the development of strip mined coal in Montana. Deep concern was evidenced on both sides of the aisle for both sides of the question. Passions ran high and rhetoric abounded. Gradually the hall quieted, and there ensued a debate between Representative James Lucas and Representative John Hall which reached the level of excellence and inspiration rarely attained in modern legislative intercourse.

This debate may well become, in Montana history, a symbolic experience which will mark the end of an age of unlimited expansion, and herald an age of sacrificial stewardship of the land.

In the words of Representative John Hall, who closed the debate with a high call to the best that was in us, "This is not a time for thinking of the 'now'. It is the time to think and vote for all of the tomorrows that lie ahead."

Kvaalen moved that the House revert to Order of Business No. 2.

Motion failed.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Bill No. 581, introduced by Bardanouve, Nichols: A bill for an act entitled: "An act appropriating sixty-seven thousand nine hundred sixty-two dollars (\$67,962) from the Agricultural Experiment Station earmarked revenue fund for the biennium ending June 30, 1975, for the acquisition of real property; appropriating as much as may be necessary from the Agricultural Experiment Station earmarked revenue fund for interest and other costs to the purchaser for the acquisition of real property; authorizing the Agricultural Experiment Station to enter into a contract for deed to approximately 93.69 acres of land in Gallatin County; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Joint Resolution No. 16, introduced by Hazelbaker, McKeon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and to the Congress of the United States asking federal block grant assistance to upgrade law enforcement and criminal justice in Montana be continued. Referred to Committee on Judiciary.



Senate Joint Resolution No. 18, introduced by Bertsche, Turnage, James, Moore, Himsl, Nees, Bollinger, Zody, Lowe, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing that select committees of the Senate and House of Representatives study all legislative proposals concerning gambling and wagering and directing members of the Forty-Third Legislature to introduce all legislative bills concerning gambling or wagering prior to the sixtieth legislative day of the 1973 session of the Forty-Third Legislature. Referred to Committee on Taxation.

Senate Joint Resolution No. 23, introduced by Darrow, Broeder, Boylan, McGowan, McDonald, McOmber, Himsl: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Secretary Earl Butz, presidential counselor for natural resources, to work toward provision of adequate funds for productive management of federal lands. Referred to Committee on Natural Resources.

Senate Joint Resolution No. 30, introduced by Darrow: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing gratitude to Montana landowners who share the public fish and wildlife resources and reaffirming support of proper fish and wildlife management. Referred to Committee on Fish and Game.

Senate Joint Resolution No. 31, introduced by Hall, Turnage, Groff, Rosell, Devine, Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study administration and finance of Montana libraries. Referred to Committee on Education.

Senate Joint Resolution No. 33, introduced by Bollinger, McOmber: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor of the State of Montana immediately marshal all resources of the state and to seek emergency aid from the federal government to halt further destruction of Montana's natural resources in soil, water and wildlife and further damage to Montana's ecology and economy by saline seep caused by agricultural practices and geologic conditions. Referred to Committee on Natural Resources.

Senate Joint Resolution No. 37, introduced by Vainio, Shea, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing the support of the Montana Legislative Assembly for legislation proposed in Congress which calls for the establishment of mining, mineral, and environmental research centers in each state. Referred to Committee on Natural Resources.

Senate Joint Resolution No. 39, introduced by Darrow, Bertsche, Bennett, Bollinger, McGowan, McKeon, McCallum, Moritz, Cochrane: A Joint Resolution of the Senate and the House of Representatives of the State of Montana affirming the Governor's appointment of a coal task force and requesting that the coal task force continue to investigate and report on the impact of coal development and coordinate coal-related research proposals. Referred to Committee on Natural Resources.

Senate Bill No. 7, introduced by Groff, McKeon, Cochrane: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation." Referred to Committee on Finance and Claims.

Senate Bill No. 18, introduced by Moore, Lynch: A bill for an act entitled: "An act implementing Article V. Section 6 of the 1972 Montana Constitution by creating procedures which enable the Legislature to call itself into special session; and providing for an immediate effective date." Referred to Committee on Rules.

Senate Bill No. 80, introduced by McKeon: A bill for an act entitled:



"An act to provide consumer protection, no-fault motor vehicle insurance in the State of Montana." Referred to Committee on Judiciary.

Senate Bill No. 81, introduced by McKeon: A bill for an act entitled: "An act to provide freedom of choice, no-fault motor vehicle insurance in the State of Montana." Referred to Committee on Judiciary.

Senate Bill No. 94, introduced by Bertsche, Cochrane, McCallum, Thiesen, Moore, Mathers, Bollinger: A bill for an act entitled: "An act creating 'The Montana Strip Mining and Reclamation Act' and providing for procedures for strip mining reclamation permits, reclamation plan requirements, methods of operation, and penalties; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 103, introduced by Groff, Turnage, Lynch, McKeon, Gilfeather, Moore: A bill for an act entitled: "An act providing for a comprehensive state insurance plan and tort claims procedure to be known as the 'Montana Comprehensive State Insurance Plan and Tort Claims Act'." Referred to Committee on Judiciary.

Senate Bill No. 112, introduced by Klindt, Graham, Story, Shea, McOmber: A bill for an act entitled: "An act amending Section 93-9902, R.C.M. 1947, eliminating the problem of subsurface mineral rights being held by one (1) party and the surface rights in another under public uses for purposes of eminent domain." Referred to Committee on Judiciary.

Senate Bill No. 124, introduced by Siderius: A bill for an act entitled: "An act providing for exempted employments from coverage under the Workmen's Compensation Act; and repealing Section 92-202, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 127, introduced by McKeon: A bill for an act entitled: "An act providing for election of employers and employees to come under the Workmen's Compensation Act; providing for actions against third party causing injury; providing for a right to subrogation; and repealing Section 92-204, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 131, introduced by Siderius, Keenan: A bill for an act entitled: "An act providing for the nonexempted employments covered by the Workmen's Compensation Act; and repealing Section 92-207, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 133, introduced by Siderius, Lowe, Keenan: A bill for an act entitled: "An act providing for inclusion of the Division of Workmen's Compensation within the Joint Merit System." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 138, introduced by Siderius: A bill for an act entitled: "An act providing for a subsequent injury fund in the Workmen's Compensation Act; and repealing Section 92-709A, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 139, introduced by request by McCallum, Turnage, McOmber, DeWolfe, Sorenson, Goodheart: A bill for an act entitled: "An act amending Section 32-2805, R.C.M. 1947, increasing payment to county surveyors and members of county boards of commissioners to thirty-five dollars (\$35) per day for inspecting roads and construction work." Referred to Committee on Local Government.

Senate Bill No. 159, introduced by McKeon: A bill for an act entitled: "An act to provide for time and one-half pay for overtime for police officers." Referred to Committee on Local Government.

Senate Bill No. 178, introduced by Carl, James: A bill for an act entitled: "An act to amend Sections 69-3502, 69-3503, 69-3504, 69-3504.1,

69-3505, 69-3506, 69-3508, 69-3508.1, 69-3508.2, 69-3510, 69-3512, 69-3514, 69-3517, and 69-3518, R.C.M. 1947, all relating to the operation, occupancy, licensing and certification of motor boats and other vessels; providing for disposition of funds from licensing and fines arising from motor boat operation; providing for protection of navigational markers; prescribing penalties for violation; and providing an effective date." Referred to Committee on Fish and Game.

Senate Bill No. 182, introduced by Moore, Lynch: A bill for an act entitled: "An act amending Sections 82-1010 and 82-1003, R.C.M. 1947, requiring publication of only comments or conclusions instead of the entire examiner's report." Referred to Committee on Local Government.

Senate Bill No. 183, introduced by Bennett, Moore, DeWolfe, Sorenson: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, to require county commissioners and city and town councils to seek out best terms for deposits of money and deleting requirement for ratable distribution." Referred to Committee on Local Government.

Senate Bill No. 196, introduced by Himsl, Manning: A bill for an act entitled: "An act to revise Chapter 52 of Title 69 by broadening the provisions of and redefining the terms used under the section of chapter entitled "definitions"; providing a new section in the chapter with respect to unlawful use of term in connection with name, signs and advertisements of facilities; revising the provisions for making rules; and amending Sections 69-5201 and 69-5213, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 201, introduced by Mathers, Theissen, Bertsche: A bill for an act entitled: "An act to amend the Legislative Audit Act, Sections 79-2303 through 79-2312, R.C.M. 1947, renumbering and adding new Sections to incorporate major provisions of the model post-auditing act; providing that all post-audits be approved by the Legislative Audit Committee; providing for the Attorney General to act upon reported violations; and providing a penalty." Referred to Committee on State Administration.

Senate Bill No. 214, introduced by Boylan, Breeden, Thiessen, Bennett, Harrison, Lowe, Deschamps: A bill for an act entitled: "An act providing for the issuance of bonds by airport authorities; amending Sections 1-804, 1-912 and 1-916, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 220, introduced by McGowan, Turnage, Mathers, James: A bill for an act entitled: "An act relating to membership of the Montana Horse Racing Commission; the terms of office thereon; providing a quorum for transaction of business; amending Section 62-503, R.C.M. 1947; and repealing Section 62-501, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 221, introduced by McNamer, Sorenson: A bill for an act entitled: "An act to provide that county treasurers may take out memberships in certain organizations at the expense of the county." Referred to Committee on Local Government.

Senate Bill No. 237, introduced by Groff, Turnage, McOmber, Sorenson, Flynn, Mathers: A bill for an act entitled: "An act authorizing the Department of Revenue to investigate matters relating to public welfare payments; to institute civil and criminal actions for enforcement of the welfare laws; and to inspect state, county, or other agency records relating to public welfare matters." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 238, introduced by James: A bill for an act entitled: "An act amending Sections 75-6809, 75-6810, 75-6811 and 75-6812, R.C.M. 1947, to repeal the requirement that the county treasurer maintain duplicate accounting records for school districts and to allow school districts

the option of issuing warrants in single copy or in triplicate copy." Referred to Committee on Education.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 131 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Ainsworth, Bardanouve, Cox, Edland, Fagg, Galt, Kvaalen, Marks, Walborn. Total 9.

House Bill No. 199 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Brand, Mehrens, Menahan. Total 3.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Bradley, Brown, Cox, Edland, Kosena, Laas, Manuel, Marks. Total 9.

House Bill No. 226 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Driscoll, Kendall, Rolfe, Walborn. Total 4.



Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Brown, Edland, Schye, Selstad. Total 5.

House Bill No. 262 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Cox, Edland, Galt. Total 3.

House Bill No. 263 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Clemow, Marks, Mr. Speaker. Total 3.

House Bill No. 279 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett, Olson, Rolfe, Selstad, Smith, Walborn. Total 6.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Lundgren. Total 2.



House Bill No. 294 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Holtz, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Ulmer, Walborn, Warfield. Total 33.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Castles, Hall. Total 2.

House Bill No. 296 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 93.

Noes: Burnett, Hubing. Total 2.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Laas, Smith, Mr. Speaker. Total 3.

House Bill No. 297 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Cox, Colberg, Driscoll, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Johnston, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Galt, Hageman, Hager, Healy, Holtz, Hubing, Jacobsen, Jones, Kendall, Kolstad, Laas, Lockrem, Lombardi, Lucas, Lund, Mercer, Murphy, Nichols, Olson, Schepens, Schye, Seifert, Smith, Turner, Ulmer, Walborn. Total 40.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Fleming, Tierney. Total 2.

House Bill No. 299 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bradley, Brand, Clemow, Colberg, Cox, Driscoll, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy,

Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosená, Kvaalen, Lee, Lien, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley. Total 61.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Castles, Cotton, East, Edland, Ellerd, Galt, Hager, Holtz, Hubing, Kendall, Kolstad, Laas, Lockrem, Lucas, Lund, Mercer, Murphy, Nichols, Olson, Schepens, Schye, Smith, Ulmer, Walborn, Mr. Speaker. Total 32.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Brown, Tierney, Turner, Fleming. Total 5.

House Bill No. 303 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosená, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Edland, Halvorson, Marks. Total 3.

House Bill No. 310 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosená, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Edland, Huennekens. Total 3.

House Bill No. 335 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosená, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens,

Menahan, Mercer, Murphy, Nichols, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Driscoll, H. Harper, Hodges, Kimble, McKittrick, Norman, Olson, Roberts, Seifert, Smith, Walborn. Total 11.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Edland, Hall, R. Harper. Total 4.

House Bill No. 342 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Brand, Burnett, Clemow, East, Ellerd, Hubing, Kessner, Kolstad, Lien, Olson, Rolfe, Selstad, Smith, Turner, Walborn. Total 16.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Edland, Marks. Total 2.

House Bill No. 349 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Bell, Burnett, Castles, East, Hager, H. Harper, R. Harper, Hubing, Kessner, Kolstad, Marks, Mercer, Roberts, Rolfe, Selstad, Smith, Walborn. Total 17.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Nichols. Total 1.

House Bill No. 358 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar,



Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: Burnett, Selstad, Smith. Total 3.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 364 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker: Total 92.

Noes: Lee, Lombardi, Lynch, Mehrens. Total 4.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Lundgren. Total 2.

House Bill No. 402 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bradley, Brand, Brown, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kessner, Kimble, Kosen, Laas, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Bardanouve, Bell, Burnett, Campbell, Castles, Clemow, Cotton, East, Ellerd, Flynn, Galt, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lucas, Lund, Marks, Mercer, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 33.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Hall, Jacobsen. Total 3.

House Bill No. 424 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: East, Hubing, Lien, Marks, Rolfe, Smith, Walborn. Total 7.



Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 428 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Huennekens, Hodges, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Hager, Holtz, Hubing, Jacobsen, Jones, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Olson, Prevost, Rolfe, Schye, Selstad, Smith, Ulmer, Walborn. Total 32.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Watt. Total 1.

Turner moved that House Bill No. 488 be held over until 1974. Motion failed.

House Bill No. 488 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Clemow, Cotton, Kosena, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Tierney, Towe, Warfield, Watt, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, H. Harper, Holtz, Hubing, Johnston, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Manuel, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Stephens, Swanberg, Turman, Turner, Ulmer, Walborn. Total 45.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Colberg, Lundgren, Stoltz. Total 3.

House Bill No. 562 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 58.

Noes: Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Ellerd, Galt, Glennen, Hageman, Hager, Jacobsen, Jones, Kessner, Kvaalen, Lien, Lucas, Lund, Marks, Mercer, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Staigmiller, Swanberg, Tierney, Turner, Ulmer, Walborn. Total 35.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: H. Harper, Hubing, Nichols, Schye, Stoltz. Total 5.

Lockrem moved that the House revert to Order of Business No. 2. Without objection, the House reverted to Order of Business No. 2.

# REPORTS OF STANDING COMMITTEES

February 13, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do not pass.

BRAND, Chairman

As a substitute motion, Fasbender moved that House Bill No. 280 be postponed until 1974.

Barrett requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mehrens, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 49.

Excused: None.

Absent or not voting: None.

Paired: Haines, Nay; Zimmer, Aye.

Fasbender moved that the House stand in recess until 1:00 p.m.

Motion carried.

House recessed.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Cox in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 549 do pass (71-6).

That House Bill No. 551 do pass (81-1).

That House Bill No. 573 do pass (78-2).

That House Resolution No. 8 be adopted (68-11).

That House Joint Resolution No. 14 do pass (71-4).

That House Joint Resolution No. 34 do pass (70-13).

That House Joint Resolution No. 37 do pass (78-0).

That House Bill No. 479 do pass (44-39).

That House Bill No. 439 do pass (72-17).

That House Bill No. 13 be amended in Section 4, page 2, line 8 of the second reading bill by deleting the figures "\$15,000]" and inserting in lieu thereof the following figures "18,500." (61-22).

And as amended, do pass (69-19).

That House Bill No. 168 do pass (82-4).

That House Bill No. 218 do pass (85-0).

That House Bill No. 227 do pass (82-0).

That House Bill No. 341 do pass (70-23).

That House Bill No. 396 do pass (83-0).

That House Bill No. 453 do pass (82-0).

That House Bill No. 466 do pass (83-0).

That House Bill No. 502 be amended in Section 4, page 2, line 9 of the original bill, being the same in the printed bill, by deleting the words "[twenty-four (24) hour]",

And be further amended in Section 4, page 2, line 10, of the original bill, being the same in the printed bill by adding the phrase after the word "help": "or where there is probable cause to believe the occupant needs assistance" and deleting on line 11 the words "[twenty-four (24) hour]" and by adding the word "written". (69-0).

And, as amended, do pass (72-17).

That House Bill No. 571 do pass (72-10).

That House Joint Resolution No. 35 do pass (75-4).

That House Bill No. 500 do not pass (77-7).

That House Bill No. 555 do pass (91-2).

That House Bill No. 109 do pass (58-34).

That House Bill No. 146 be amended in the title, being line 10 of the second reading and introduced bill, after the word "date" by inserting the words: "and penalty", and (69-4).

Further amend on page 1, Section 2, being line 18 of the second reading and introduced bill, after the word "camper" by inserting the following: ", subject to taxation in Montana," and (66-5).

Further amend on page 5, Section 5, being line 23 of the second reading and introduced bill, by deleting the effective date, "[1973]" and inserting in lieu thereof "1974", and

Further amend on page 5, by adding a new Section to read: "Section 6. A person who is convicted of any violation of the provisions of this act shall be subject to a fine not to exceed fifty dollars (\$50.00)." (60-13).

And, as amended, do pass (71-12).

That House Bill No. 177 do pass (75-2).

That House Bill No. 365 do pass (52-30).

That House Bill No. 442 be amended in Section 1, page 1, line 12, before the word "Fire" by inserting the sentence and number "There is a new Section to be numbered 75-8308.1, R.C.M. 1947, which reads as follows: "75-8308.1." (69-0)

And, as amended, do pass (72-1).

That House Bill No. 456 do pass (73-3).

That House Bill No. 469 be amended as follows:

On page 1, in line 12, by deleting after the word "meet" the following: "[Z 90.1 standards established by the]" and substituting in lieu thereof "standards established by the department of law enforcement and public safety," and

On page 1 by deleting lines 13 through 25 in their entirety, and

On page 2 by deleting line 1 in its entirety, and

On page 2, in line 2, by inserting between the words "motorcycles" and "shall" the words "operated on the streets and highways of this state", and

On page 2, in line 4, by deleting after the word "operation" the "[,]" and substituting in lieu thereof a ".", and

On page 2 by deleting lines 5 through 20 in their entirety, and re-numbering Subsection "[ (5) ]" as Subsection "(2)". (56-17).

And, as amended, do pass (82-5).

That House Joint Resolution No. 33 do pass (77-0).

Motion to pass House Bill No. 133 until 1974 session failed by the following vote: (42-55).

That House Bill No. 133 be passed to the bottom of the board.

That House Bill No. 127 be passed for the day.

That House Bill No. 162 be passed below House Bill No. 202.

That House Bill No. 202 do not pass.

That House Bill No. 162 do pass (54-38).

That all bills remaining on the board be moved below House Bill No. 463.

That House Bill No. 463 be amended in Section 1, page 3, line 5, of the second reading bill by adding the following words and underlining "With this in mind, we believe that the prospective mother should make her decision with regard to an abortion after counseling and whenever possible, with the consent of all persons directly concerned, including the father." (50-37).

And further amend in Section 3, page 3, line 18, by deleting the following words and underlining "[ (c) Signed consent of the father has been obtained.]"

And on line 19 delete the letter and punctuation "[ (d) ]" and insert in lieu thereof "(c)"



And further amend in Section 3, page 4, lines 1 through 3 by deleting the entire Subsection (e). (50-35).

And, as amended, do pass (50-40).

That House Bill No. 133, in effect, be moved to the top of the board.

That House Bill No. 133 be amended in Section 2, Subsection (2), page 15, lines 10 and 11 of the second reading bill, by striking the words and figures "[five hundred (500)]" and inserting in lieu thereof "two hundred fifty (250)", and

Further amend Section 2, Subsection (2), page 15, lines 12, 13, 14, 15 and 16 of the second reading bill, following the words and punctuation "the shoreline," on line 12, strike the following material "[and may also include those adjacent areas, the use of which materially affects or could affect the aesthetic or ecological quality of, or defile, the immediate environment or detract from the natural beauty of the waterway.]", and

Further amend Section 2, Subsection (2), page 15, line 17, of the second reading bill, by striking the words and figures "[five hundred (500)]" and inserting in lieu thereof "one hundred (100)", and

Further amend Section 16, page 22, line 10, of the second reading bill following the words "interfere with" strike the word "[existing]", and as so amended (57-25).

And further amend in Section 4, Subsection (3), page 15, of the second reading bill, following the word "appropriate." insert the following new material "provided that the landowner granting any easements under this act shall not be liable for injuries or damage to persons using such easements, unless such injury or damages shall have been directly and proximately caused by the willful negligence of the landowner." (61-24).

That House Bill No. 133 be passed for the day.

That the Committee rise and report.

COX, Chairman

Report adopted.

#### HOUSE RESOLUTION NO. 8

Introduced by R. Harper, Kimble

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE DEPARTMENT OF INSTITUTIONS TO CONSIDER ESTABLISHING A SPECIAL FACILITY FOR RECEIVING PATIENTS REQUIRING TREATMENT FOR ALCOHOLISM AND TO REPORT ITS FINDINGS TO THE LEGISLATIVE COUNCIL PRIOR TO THE 1974 SESSION OF THE FORTY-THIRD LEGISLATIVE ASSEMBLY.

WHEREAS, the only state institution which currently receives patients for treatment of alcoholism is at the state hospital at Warm Springs, and

WHEREAS, many people badly in need of care for alcoholism associate a stigma with the state hospital at Warm Springs which makes it undesirable for them to submit themselves for treatment there, and

WHEREAS, many more people could receive the treatment for alcoholism they so badly need if additional facilities were available to them.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Department of Institutions is requested to study the question

of establishing an independent receiving hospital at Galen which would be for the treatment of alcoholics, and

BE IT FURTHER RESOLVED, that the Department of Institutions is requested to investigate the possibility of using some part of the present tax on liquor to fund the additional facility, and

BE IT FURTHER RESOLVED, that the Department of Institutions is requested to submit a report of its findings and recommendations to the Legislative Council prior to the 1974 Session of the Forty-Third Legislative Assembly.

# REPORTS OF STANDING COMMITTEES

February 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be not concurred in.

HALL, Chairman

Report adopted by the following vote:

Ayes: Ageson, Asbjornson, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Hall, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Towe, Ulmer, Yardley, Mr. Speaker. Total 66.

Noes: Cotton, Gunderson, R. Harper, Kessner, Lockrem, Marks, Mercer, Rolfe, Selstad, Smith, Tierney, Walborn. Total 12.

Excused: Burnett, Haines, Zimmer. Total 3.

Absent or not voting: Ainsworth, Baeth, Bardanouve, Bennetts, Brand, Edland, Ellerd, Glennen, Halvorson, Lucas, Lundgren, Marbut, Nichols, Regan, Swanberg, Turman, Turner, Warfield, Watt. Total 19.

February 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 210, respectfully report as follows: That Senate Bill No. 210 be concurred in.

HALL, Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be concurred in.

HALL, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 236, respectfully report as follows: That Senate Bill No. 236 be concurred in.

HALL, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be concurred in.

HALL, Chairman

Report adopted.

February 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 132 and 445.

QUILICI, Chairman

February 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 468, 492, 153 and 523.

QUILICI, Chairman

February 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 548, 528, 472, 482 and 490.

QUILICI, Chairman

Fasbender moved that the House recess until 9:00 a.m., February 17, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## FORTY-SECOND LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 17, 1973

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Mercer, Jones, Hager, Haines, Burnett, Brand, Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 41st Legislative Day, find the same to be correct.

QUILICI, Chairman

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Bill No. 254, introduced by Carl: A bill for an act entitled: "An act to provide that the fee of one dollar (\$1) for issuance of decals for snowmobiles shall be deposited with the state treasurer to the credit of the State Fish and Game Commission; amending Section 53-1025, R.C.M. 1947." Referred to Committee on Fish and Game.

Senate Bill No. 278, introduced by Vainio, Bertsche, Turnage: A bill for an act entitled: "An act amending Section 92-1112, R.C.M. 1947, providing that the Division of Workmen's Compensation may request and encourage the Board of Investments to invest up to ten percent (10%) of the reserve of the Division in health care facilities in Montana." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 281, introduced by McKeon: A bill for an act entitled: "An act for a new Chapter in Title 69, R.C.M. 1947, providing for the regulation of nonprofit health service corporations; and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 300, introduced by James, Rosell, Harrison, Hazelbaker, Jensen, Bertsche, Turnage, Flynn, Lynch, Bennett: A bill for an act entitled: "An Act providing for the identification, acquisition, restoration, enhancement, preservation and administration of scenic, historic paleontological, archaeological, cultural and recreational sites, and objects and providing for their use and enjoyment by the people; providing for a permit system for excavation of sites; providing penalties for violation of this act; providing that all acts or parts of acts in conflict with or within provisions of this act are hereby repealed; repealing Sections 62-301 and 62-314, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 306, introduced by Darrow, Bertsche, Rosell, Graham, Deschamps, James, Bennett, Carl: A bill for an act entitled: "An act increasing the size of the Board of Natural Resources and Conservation from five (5) to seven (7) members; and amending Section 82A-1509, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 307, introduced by McDonald, Mathers: A bill for an act entitled: "An act to implement Article XI, Section 3, of the 1972 Montana Constitution by providing for optional forms of county government; procedures to adopt and initiate an optional form of county government; adding county attorney and clerk of district court to the list of offices that may be consolidated; deleting the nonsuccession provisions for county treasurer; amending Sections 16-901, 16-2406, and 16-2412, R.C.M. 1947; and repealing Sections 16-2403, 16-2407, and 16-3901 through 16-3923, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 318, introduced by Carl, Moritz, Boylan, Lynch, Bollinger, McCallum, Devine: A bill for an act entitled: "An act creating the "Montana Snowmobile Act of 1973"; providing for registration of snowmobiles; issuance of registration decals; operation of snowmobiles; penalties; administration of the act by Fish and Game Department; amending Section 84-406, R.C.M. 1947; and repealing Sections 53-1012 through 53-1028, R.C.M. 1947." Referred to Committee on Fish and Game.

Senate Bill No. 327, introduced by Bollinger, Turnage: A bill for an act entitled: "An act to amend Section 66-2904, R.C.M. 1947, to provide that the Board of Massage Examiners shall convene after each appointment to the board and elect a president, vice president, and secretary-treasurer." Referred to Committee on Business and Industry.

Senate Bill No. 329, introduced by DeWolfe, James, McOmber: A bill for an act entitled: "An act amending Section 16-1803, R.C.M. 1947, to require counties to let for bid all contracts calling for construction, repair or purchases in excess of four thousand dollars (\$4,000) after advertisement for bids." Referred to Committee on Local Government.



Senate Bill No. 331, introduced by Lynch, McKeon, McGowan: A bill for an act entitled: "An act to require each motor vehicle liability policy in this state to provide first party personal injury insurance coverage which is payable without regard to fault." Referred to Committee on Judiciary.

Senate Bill No. 333, introduced by Turnage: A bill for an act entitled: "An act to amend Section 15-2231, R.C.M. 1947, making the provision for cumulative voting for directors permissive rather than mandatory." Referred to Committee on Business and Industry.

Senate Bill No. 343, introduced by Flynn, Darrow, McCallum: A bill for an act entitled: "An act to amend Section 69-6509, R.C.M. 1947, to specify the termination date of membership on the Environmental Quality Council." Referred to Committee on State Administration.

Senate Bill No. 345, introduced by Zody, Vainio: A bill for an act entitled: "An act to amend Section 66-3102, R.C.M. 1947, changing the composition of the Board of Nursing Home Administrators; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 351, introduced by Mathers: A bill for an act entitled: "An act to prohibit the use of weighing devices in trade or commerce which are not licensed by the Division of Weights and Measures; and establishing license fees." Referred to Committee on Business and Industry.

Senate Bill No. 362, introduced by Highways and Transportation Committee by request: A bill for an act entitled: "An act to amend Section 84-1840, R.C.M. 1947, providing for the allocation of funds to counties and incorporated cities and towns for construction, reconstruction, repairs and maintenance of roads, streets and alleys." Referred to Committee on Highways and Transportation.

Senate Bill No. 363, introduced by Committee on Highways and Transportation by request: A bill for an act entitled: "An act to repeal Section 32-4304, R.C.M. 1947, and amend Section 32-4305, R.C.M. 1947, to eliminate the requirement of petitions or consent from local authorities before access can be controlled or limited in certain areas." Referred to Committee on Highways and Transportation.

Senate Bill No. 373, introduced by Bertsche, Hazelbaker, Groff: A bill for an act entitled: "An act to provide for combining all state employees into one or more groups for purposes of negotiating and contracting for group insurance." Referred to Committee on State Administration.

Senate Bill No. 376, introduced by Gilfeather: A bill for an act entitled: "An act to revise provisions for waiver of nonresident fees in state reciprocal agreements; and amending Section 75-8601, R.C. M. 1947." Referred to Committee on Education.

Senate Bill No. 383, introduced by Lynch, Story, Nees, McCallum: A bill for an act entitled: "An act amending Section 25-605, R.C.M. 1947, increasing the salaries of certain county officers." Referred to Committee on Local Government.

Senate Bill No. 393, introduced by McKeon: A bill for an act entitled: "An act to amend Section 59-605, R.C.M. 1947, by providing that an appointment to fill a vacancy is for the unexpired term; providing for dejure officers before Senate confirmation; and repealing Section 59-606, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 397, introduced by Vainio, Turnage, McKeon: A bill for an act entitled: "An act amending Section 66-1025, R.C.M. 1947, providing for reciprocity for doctors of osteopathy." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 403, introduced by McNamer, Flynn: A bill for an act entitled: "An act to establish guidelines for the management and use of investments held by eleemosynary institutions and funds." Referred to Committee on State Administration.

Senate Bill No. 404, introduced by Bertsche, McGowan, Cochrane, Darrow, Bennett, McCallum, McKeon, Bollinger, Thiessen, Flynn, Moritz, DeWolfe: A bill for an act entitled: "An act providing for the conservation of strippable and marketable coal, and prohibiting the waste thereof; providing for the submission of strip mining plans, to the Department of State Lands; assigning duties to the State Board of Land Commissioners; providing penalties; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 407, introduced by McDonald, Goodheart, McCallum, Deschamps, Rosell: A bill for an act entitled: "An act defining certifying agency and protected variety; providing for labeling of seeds; providing a penalty; providing for testing of seed samples; providing for additional prohibitions; amending Sections 3-802.1, 3-802.2, 3-804, 3-807, 3-808, 3-810 and through 3-814 and 3-820, R.C.M. 1947; and repealing Section 3-806, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 410, introduced by Bennett, McKeon, Gilfeather: A bill for an act entitled: "An act to amend Section 25-605, R.C.M. 1947, to provide that county attorneys be paid one and one-half (1½) times the salary provided for in that Section." Referred to Committee on Local Government.

Senate Bill No. 411, introduced by Bertsche, Mathers: A bill for an act entitled: "An act to provide that the Department of Administration shall develop a wage and salary plan for state employees for submission to the 1975 Legislature and be granted immediate authority to develop a personnel classification plan; providing that salary increases, changes in position classifications and changes in number of employees must be approved by the Department of Administration; and creating a board for the hearing of grievances that result from the implementation of this act." Referred to Committee on State Administration.

Senate Bill No. 413, introduced by Turnage, Bertsche: A bill for an act entitled: "An act making lawful the conducting of games of chance commonly known as bingo and raffles; defining terms; providing penalties; and providing an effective date." Referred to Select Committee on Gambling.

Senate Bill No. 426, introduced by Bertsche, Graham, Turnage: A bill for an act entitled: "An act requiring all agencies of state government to give assistance to Tribal Councils or their official designees assistance on any matter relating to coal development on Indian lands." Referred to Committee on Natural Resources.

Senate Bill No. 427, introduced by McKeon: A bill for an act entitled: "An act to amend Section 87-148, R.C.M. 1947, to provide unemployment compensation coverage for all public employees." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 431, introduced by Thiessen, Bertsche: A bill for an act entitled: "An act to amend Sections 59-1001, 59-1003, 59-1005 and 59-1008, R.C.M. 1947: to provide laws for administering annual vacation and sick leave benefits for all employees of state, county and city governments; and to add a new Section to provide for jury leave for public employees." Referred to Committee on State Administration.

Senate Bill No. 443, introduced by McGowan, Bertsche: A bill for an act entitled: "An act to provide for reclamation and conservation of land

subject to open cut sand or gravel mining; requiring reclamation contracts for operations resulting in removal of ten thousand (10,000) cubic yards of overburden or product; providing enforcement by the State Board of Land Commissioners; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 447, introduced by McCallum, Turnage, Lynch, McDonald: A bill for an act entitled: "An act requiring the insurer to accept or deny a claim within ten (10) days of its filing; payment of weekly compensation until claimant returns to work; termination of compensation only upon notice and division approval; and payment of costs and penalty in case of establishment of a denied claim." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 451, introduced by Legislative Administration Committee: A bill for an act entitled: "An act reducing the membership of the Legislative Council to four (4) members and providing terms; providing for council organization, powers and duties; providing for appointment of study committees; providing compensation for council members and committees; providing a method of determining council studies; and amending Sections 43-709 through 43-715, R.C.M. 1947." Referred to Committee on Legislative Administration.

House Bill No. 582, introduced by Marbut, Bardanouve, Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Administration, and providing that this act is effective upon its passage and approval." Referred to Committee on State Administration.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 153 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bennetts, Brown, Edland, Fasbender, H. Harper, Kimble, Lynch, Marbut, Mehrens, Menahan. Total 11.

House Bill No. 468 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert,



Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Hageman. Total 1.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Bennetts, Brown, H. Harper, Kimble, Laas, Lynch, Marbut. Total 9.

House Bill No. 472 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bennetts, Brown, H. Harper, Kimble, Lynch, Marbut, Shelden. Total 8.

House Bill No. 482 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Asbjornson, Barrett, Cox, Hageman, Johnston, Kvaalen, Lien, Lockrem, McKittrick, Manuel, Stephens, Stoltz. Total 12.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, Brown, Fasbender, Forsgren, Hall, H. Harper, Jacobsen, Kimble, Lynch, Marbut, Turner. Total 11.

House Bill No. 490 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Regan, Selstad, Staigmilller, Walborn. Total 4.



Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, Forsgren, H. Harper, Lockrem, Marbut. Total 5.

House Bill No. 528 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, H. Harper, Marbut, Olson. Total 4.

House Bill No. 548 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, H. Harper, Marbut. Total 3.

House Bill No. 21 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Asbjornson, Campbell, Castles, Clemow, East, Galt, Holtz, Hubing, Kessner, Kvaalen, Lockrem, Lynch, Marks, Quilici, Schye, Selstad, Smith, Turner. Total 18.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: Ainsworth, H. Harper, Marbut. Total 3.

McKittrick moved that House Bill No. 176 be amended by adding a new Section as follows: "Section 2. This act applies only to an employer having more than ten (10) employees in his employment."

Motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Glennen, Hodges, Marks, Seifert. Total 4.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: H. Harper, Jones. Total 2.

House Bill No. 176 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Halvorson, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lundgren, Manuel, Marbut, Marks, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmiller, Swanberg, Turner, Ulmer, Walborn, Warfield. Total 42.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: H. Harper. Total 1.

House Bill No. 287 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: H. Harper. Total 1.

House Bill No. 313 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: H. Harper, McKittrick. Total 2.

House Bill No. 368 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fagg, Fleming, Forsgren, Galt, Glennen, Hageman, Halvorson, Holtz, Hubing, Jacobsen, Jones, Kendall, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Nichols, Olson, Rolfe, Schye, Selstad, Shelden, Smith, Staigmillar, Turman, Turner, Ulmer, Walborn, Watt. Total 48.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Driscoll, Ellerd, Fasbender, Flynn, Greely, Gunderson, Hall, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kessner, Kimble, Kosena, Lee, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Stephens, Stoltz, Swanberg, Tierney, Towe, Warfield, Yardley, Mr. Speaker. Total 45.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: H. Harper. Total 1.

House Bill No. 425 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Murphy, Nichols, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 67.

Noes: Baeth, Bardanouve, Cotton, Cox, Edland, Fleming, Flynn, Greely, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Quilici, Regan, Stephens, Stoltz, Warfield, Yardley. Total 27.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: None.

House Bill No. 458 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, John-



ston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Barrett, East, Galt, Hubing, Kvaalen, Olson, Prevost, Selstad, Smith, Walborn. Total 10.

Excused: Brand, Burnett, Hager, Haines, Mercer, Zimmer. Total 6.

Absent or not voting: McKittrick, Mehrens, Towe. Total 3.

House Bill No. 492 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, McKittrick, Manuel, Marbut, Mehrens, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 49.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Marks, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Turner, Tierney, Ulmer, Walborn, Warfield. Total 50.

Excused: Zimmer. Total 1.

Paired: Mercer—Nay, Hall—Aye; Haines—Nay, Fasbender—Aye; Hager—Nay, Yardley—Aye; Brand—Aye, Cox—Nay; Burnett—Nay, Regan—Aye.

## MOTIONS AND RESOLUTIONS

Towe, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 202 on previous day, moved that the House reconsider its action.

Motion failed by a recorded vote of 55-37.

Hall, having voted on the prevailing side in deferring House Bill No. 300 until the 1974 Session, moved that the House reconsider its action.

Motion failed by a vote of 46-51.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hall in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 133 be amended in Section 4, Subsection (3), page 15 of the second reading bill, following the word "appropriate." insert the following new material: "Provided that the landowner granting any easements under this act shall not be liable for injuries or damage to persons using such easement, unless such injury or damages shall have been di-



rectly and proximately caused by the willful negligence of the land owner." (81-0)

And be further amended on page 22, line 2, of the second reading bill, by inserting a new Section following the words and figures "Section 17." and renumbering the Section and remaining Sections, insert the following new material: "Nothing in this act shall preclude reasonable and necessary barge, highway or utility crossings over rivers and streams designated in the system." (82-1).

And, as amended, do pass (59-32).

That House Bill No. 207 do pass (74-1).

That House Bill No. 265 do pass (83-5).

That House Bill No. 320 be amended in Section 2, page 2 of the second reading bill by striking the colon on line 21, the number one and ( ) on line 22 and the word "or" on line 23 after the word "abuse" (85-0)

And, as amended, do pass (73-10).

That House Bill No. 330 do pass (65-16).

That House Bill No. 359 do pass (71-11).

That House Bill No. 407 do pass (82-0).

That House Bill No. 423 be amended on page 3, Section 6, lines 14 through line 17 of the second reading bill, being lines 12 through 15 of the introduced bill, by reinstating the deleted material in the second reading bill which reads as follows: "The Department of Institutions is authorized to apply for and receive federal aid money or other assistance which may be available for programs in the nature of the program created by this act." and

Further amend page 3, line 17, of the second reading bill, being line 16 of the introduced bill, by creating a new Section 7 using the material from line 17 on page 3, through line 5 on page 4, of the second reading bill to read as follows:

"Section 7. Community homes for the developmentally disabled will be considered for the purposes of this act to be hospital related facilities if they provide care for three (3) or more patients who have been evaluated by the Department of Social and Rehabilitation Services as requiring skilled care, and such facilities will be required to comply with the licensing requirements of Sections 69-5210, 69-5211, 69-5218, 69-5219.1, 69-5220, and Chapter 53, Title 69, R.C.M. 1947, provided, however, that the license fee may be waived by the Department of Health. Community homes for developmentally disabled persons under the age of eighteen (18) years will be licensed under the provisions of Section 10-522, R.C.M. 1947." and

Further amend on page 4, line 6, of the second reading bill by renumbering the present Section 7 to be Section "8". (73-0).

And, as amended, do pass (82-0).

That House Bill No. 427 do pass (87-0).

That House Bill No. 434 do pass (77-0).

That House Bill No. 440 be moved to the bottom of the board.

That House Bill No. 455 do pass (79-0).

That House Bill No. 461 do pass (77-0).

That House Bill No. 489 be passed for the day.

That House Bill No. 542 be amended in Section 1, line 25, page 1 of the second reading bill by adding after the word "religion" the word "sex" and further amend on line 2, page 2, by deleting all of said line after the word and punctuation "transactions," and on line 3, page 2, deleting the words and punctuation "[connection with employment,]" (72-0)

And further amend in Section 14, Subsection (2), page 9, lines 1 through 13 of the original bill, by deleting the Subsection in its entirety. (65-0).

And, as amended, do pass (77-10).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

# REPORTS OF STANDING COMMITTEES

February 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 218, 479, 549, 551, 396, 466, 168, 439, 227, 341, 453, 571, House Joint Resolutions Nos. 37, 35, 14 and 34.

QUILICI, Chairman

February 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 160, 520 and 544.

QUILICI, Chairman

February 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 109, 365, 177, 456, 162, 374 and House Joint Resolution No. 33.

QUILICI, Chairman

February 17, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Pages terminated February 15, 1973:

Cory Carlson, Paul Crowley, Mary Sue Graham, Ann Kilbourne, Susan Brown, Paul Donohoe, Diane Etchart, Bridget Sullivan.

New pages as of February 15, 1973:

Diana Eldridge, Marlene Fischer, Terry Lee, Lorna Fladager, Mary Brown, Lee Cook, Diann Hensley, Colleen Moran.

EDLAND, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., February 19, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## FORTY-THIRD LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 19, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Representative Edland and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Zimmer and Haines, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-Second Legislative Day, find the same to be correct.

QUILICI, Chairman

The Speaker announced the transferral of Senate Joint Resolution No. 18 from Committee on Taxation to Select Committee on Gambling.

## REPORTS OF STANDING COMMITTEES

February 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 207, 265, 330, 359, 407, 427, 434, 455 and 461.

QUILICI, Chairman

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 372, respectfully report as follows: That Senate Bill No. 372 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 402, respectfully report as follows: That Senate Bill No. 402 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 270, respectfully report as follows: That Senate Bill No. 270 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 384, respectfully report as follows: That Senate Bill No. 384 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 417, respectfully report as follows: That Senate Bill No. 417 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 100, respectfully report as follows: That Senate Bill No. 100 be concurred in.

MEHRENS, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 222, respectfully report as follows: That Senate Bill No. 222 be concurred in.

MEHRENS, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 234, respectfully report as follows: That Senate Bill No. 234 be concurred in.

MEHRENS, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 530, respectfully report as follows: That House Bill No. 530 do pass.

WATT, Chairman

Report adopted.

January 24, 1973

Mr. Speaker: We, your Committee on Taxation, having had under



consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

WATT, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 150, respectfully report as follows: That Senate Bill No. 150 be amended in the title on page 1, line 10, after the word "license" by adding the following material: "; and providing an effective date", and

Be further amended in Section 1, Subsection (6), page 4, line 19, after the word "in" by striking the word "[his]" and inserting in lieu thereof the word "any", and

Be further amended after Section 1, Subsection (16), page 10, after the material on line 16, by adding a new Section 2 to read as follows: "Section 2. This act is effective upon its passage and approval.", and

As amended, be concurred in.

STAIGMILLER, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 224, respectfully report as follows: That Senate Bill No. 224 be amended in the title on page 1, line 10, after the word "permitting" by correcting the spelling in the word "representatives", and

As amended, be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 291, respectfully report as follows: That Senate Bill No. 291 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 321, respectfully report as follows: That Senate Bill No. 321 be amended in the title on page 1, line 11, after the word "are" by striking the word "[reasonable]", and

Be further amended in Section 1, Subsection (10), page 5, line 18, after the word "acting", by striking the word "[reasonably]", and

Be further amended in Section 2, Subsection (1), page 6, line 11, after the word "from", by striking the word "[reasonably]", and

As amended, be concurred in.

STAIGMILLER, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Resolution No. 26, respectfully report as follows: That Senate Joint Resolution No. 26 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 9, respectfully report as follows: That Senate Bill No. 9 be amended in the title on lines 15 and 16 by reinstating the following numerals and punctuation: "4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506,"; and

Further amend the title in line 17 by reinstating the following numerals and punctuation: "41-1135, 41-1136,"; and

Further amend the title in line 20 by reinstating the following numerals and punctuation: "94-35-106, and 94-35-106.2,"; and

Further amend by reinstating all material of the third reading bill starting on page 3, line 7 through page 10, line 19; and

Further amend by reinstating all numbering of Sections of the third reading bill to be in accordance with the numbering of the original bill, starting on page 10 of the third reading bill, line 20 through the end of the bill.

And, as amended, be concurred in.

LOMBARDI, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 357, respectfully report as follows: That Senate Bill No. 357 be concurred in.

LOMBARDI, Chairman

Report adopted.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 109 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Hageman, Hager, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Ainsworth, Asbjornson, Bell, Brown, Campbell, Castles, Clemow, East, Ellerd, Flynn, Galt, Halvorson, H. Harper, Hubing, Jacobsen, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Marbut, Marks, Murphy, Nichols, Olson, Rolfe, Seifert, Selstad, Smith, Staigmiller, Ulmer, Walborn, Warfield. Total 34.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Cox, Gunderson, Turner. Total 3.

House Bill No. 162 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Clemow, Cox, East, Ellerd, Forsgren, Galt, Hageman, Hager, Holtz, Hubing, Jacobsen, Jones, Kessner, Kvaalen, Lien, Lockrem, Lund, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Staigmiller, Walborn, Warfield. Total 35.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Gunderson, Turner. Total 2.

House Bill No. 168 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Gunderson. Total 1.

House Bill No. 177 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 97.

Noes: Smith. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 218 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: McKittrick. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Clemow, Johnston. Total 2.

House Bill No. 227 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 97.

Noes: Lockrem. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

Seifert moved that House Bill No. 341 be amended in Section 3, Subsection (5), page 2, line 25, of the third reading copy following the word "is" by striking the word and number "[forty (40)]" and inserting in lieu thereof the word and number "ten (10)".

Further amend on page 3, line 1, following the word and punctuation "size," by inserting the words and punctuation "exclusive of public roadways," and

Further amend in Section 3, Subsection (4), page 2, line 18, after "land of" by striking the word and number "[forty (40)]" and inserting in lieu thereof the word and number "ten (10)".

Shelden moved, as a substitute motion, that the amendments be not adopted.

Motion carried.

Thereupon, House Bill No. 341 was passed by the following vote:



Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Galt, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Asbjornson, Barrett, Bell, Castles, Clemow, Cox, Ellerd, Fleming, Forsgren, Glennen, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Lockrem, Mercer, Rolfe, Seifert, Selstad, Turner, Walborn. Total 24.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: East, Marbut, Olson, Smith. Total 4.

(Material in brackets denotes cancelled type.)

House Bill No. 365 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Castles, Clemow, Cotton, Cox, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Asbjornson, Barrett, Brown, Burnett, Campbell, Driscoll, East, Ellerd, Fasbender, Glennen, Greely, Hager, H. Harper, Holtz, Hubing, Huennekens, Kessner, Marks, Mercer, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Swanberg, Turner, Walborn, Warfield. Total 29.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Colberg, Hall. Total 3.

House Bill No. 374 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts, Clemow, Hall. Total 3.

House Bill No. 396 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,

Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 439 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Burnett, Campbell, Castles, Clemow, East, Ellerd, Glennen, Holtz, Hubing, Jones, Kessner, Kolstad, Lien, Manuel, Seifert, Selstad, Smith, Turner. Total 18.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 453 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Lundgren, Roberts, Turner. Total 3.

House Bill No. 456 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 89.

Noes: Burnett, Lien, Prevost, Rolfe. Total 4.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Lundgren, McKittrick, Selstad, Walborn, Watt. Total 5.

House Bill No. 466 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 479 was passed by the following vote:

Ayes: Aageson, Ainsworth, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Hall, H. Harper, R. Harper, Holtz, Hubing, Huennekens, Kendall, Kessner, Kvaalen, Laas, Lockrem, Lucas, Lund, Marbut, Mercer, Murphy, Nichols, Rolfe, Seifert, Selstad, Shelden, Stephens, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 52.

Noes: Asbjornson, Baeth, Bell, Brand, Burnett, Clemow, Cotton, Ellerd, Gunderson, Hageman, Halvorson, Healy, Hodges, Jacobsen, Johnston, Jones, Kimble, Kolstad, Lee, Lien, Lombardi, Lynch, Manuel, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Turner, Walborn. Total 39.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Holmes, Kosena, Lundgren, McKittrick, Norman, Schye. Total 7.

House Bill No. 520 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman,



Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Brown, Kolstad, Lucas, Marks, Olson, Roberts, Schye, Smith. Total 8.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: East, Halvorson, Hubing. Total 3.

House Bill No. 544 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Clemow, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Johnston, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Swanberg, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Asbjornson, Baeth, Bell, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, East, Edland, Ellerd, Galt, Hageman, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Nichols, Prevost, Schye, Selstad, Smith, Stephens, Stoltz, Turner, Ulmer, Walborn. Total 41.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Forsgren, Halvorson, Tierney, Towe. Total 4.

House Bill No. 549 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Aageson, Ainsworth, Burnett, Flynn, Galt, Jacobsen, Kvaalen, Lien, Lucas, Marbut, Nichols, Olson, Schye, Seifert, Selstad, Smith, Staigmiller, Ulmer, Walborn. Total 19.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Prevost. Total 1.

House Bill No. 551 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 96.



Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Castles, Stephens. Total 2.

House Bill No. 571 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Sheldon, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Asbjornson, Barrett, East, Hager, Hubing, Jones, Kvaalen, Lockrem, Lundgren, Marks, Olson, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn. Total 18.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Stephens. Total 2.

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Sheldon, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Burnett, Cox, East, Galt, Hager, Hubing, Kessner, Kvaalen, Lockrem, Marks, Mercer, Selstad, Smith, Ulmer, Walborn, Warfield. Total 16.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Schye, Stephens. Total 2.

House Joint Resolution No. 33 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Sheldon, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Ellerd, Hager, Kessner, Mercer, Olson, Regan, Selstad. Total 7.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Schye, Stephens, Walborn. Total 3.

House Joint Resolution No. 34 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Asbjornson, Burnett, Campbell, Clemow, East, Ellerd, Galt, Hager, Kessner, Kosen, Kvaalen, Lockrem, Marks, Mehrens, Mercer, Olson, Rolfe, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 23.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Hubing, Jones, Nichols, Schye, Stephens. Total 5.

House Joint Resolution No. 35 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Asbjornson, Bell, Burnett, East, Ellerd, Hager, Holtz, Hubing, Kessner, Kvaalen, Lockrem, Marks, Mercer, Prevost, Rolfe, Seifert, Selstad, Smith, Turner, Walborn. Total 20.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Galt, Schye, Stephens. Total 3.

House Joint Resolution No. 37 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Burnett, Kessner, Rolfe, Seifert, Selstad. Total 5.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Schye, Stephens. Total 2.

## REPORTS OF STANDING COMMITTEES

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Rela-

tions, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be amended on page 2, Section 1, lines 8 through 15 of the blue Senate bill by deleting all the material in lines 8 through 15, after the word and punctuation "offer." and inserting in lieu thereof the material, "In the event of litigation, and when the private property owner prevails, by receiving an award in excess of the final offer of the state, the court shall award necessary expenses of litigation."

And, as amended, be concurred in.

HALL, Chairman

Report adopted.

February 19, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be amended on page 1, Section 1, lines 13 through 25, in the blue Senate bill by deleting all the material in lines 13 through 25 to include all of Subsections (1), (2), (3) and (4) of Section 1 and inserting in lieu thereof the following new material, (1) two (2) district court judges, from different judicial districts, elected by the district judges under an elective procedure initiated by and conducted by the Supreme Court and the two (2) so elected certified as to such election by the Chief Justice of the Supreme Court which for the purpose of the language of this act shall be considered as an appointment.

(2) one (1) attorney who has practiced law in this state for at least ten (10) years, appointed by the Supreme Court.

(3) two (2) citizens from different congressional districts who are not attorneys or judges of any court, active or retired, appointed by the governor," and

Be further amended on page 2, Section 2, lines 3 through 10 in the blue Senate bill by deleting all the material in lines 3 through 10 to include all of Subsections (a), (b) and (c) after the word and punctuation "follows:" and inserting in lieu thereof the new material, (a) the Supreme Court shall designate by certificate of the Chief Justice one (1) district court judge to serve for four (4) years, and one (1) to serve for two (2) years;

(b) the attorney shall serve for four (4) years; and

(c) the governor shall appoint one (1) citizen to serve for four (4) years, and one (1) to serve for two (2) years.", and

Be further amended on page 2, Section 5, Subsection (1), line 22 in the blue Senate bill, after the parenthesis and number "(1)" by deleting the word "[Any]" and inserting in lieu thereof the new material "The commission, or any", and

Be further amended on page 3, Section 7, line 19, in the blue Senate bill after the word "communication." by adding the new Subsection, (3) The commission shall make rules for the conduct of its affairs and provide for the confidentiality of its proceedings."

And, as amended, be concurred in.

HALL, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 15, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Kolstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 489 do pass (85-0).

That House Bill No. 538 do pass (57-39).

That House Bill No. 559 be passed to the bottom of the board.

That House Joint Resolution No. 29 do pass (69-19).

That House Bill No. 127 be amended in Section 14, page 21, line 20, of the second reading bill following the word "lands" by striking the punctuation "[,]" and inserting in lieu thereof the word "and", and

Further amend Section 14, page 21, line 21 of the second reading bill after the word "relations" by striking the following material in lines 21, 22, 23 and 24, "[, citizen environmental protection and resource planning groups, and other interested persons OR GROUP MAY OBTAIN A PLAN BY WRITTEN REQUEST AND PAYMENT THEREOF upon request]" and inserting in lieu thereof ". Citizen environmental protection and resource planning groups, and other interested persons may obtain a plan by written request and payment thereof" (85-0).

And, as amended, do pass (97-0).

That House Bill No. 132 be amended in the title, on page 1, line 9 of



the second reading bill, after the date "1973" by inserting "; and provide an effective date", and (75-6)

Further amend on page 12, Section 4, following line 25 by adding a new Subsection to read: "(5) Any federal, state, county or city government department, agency or body engaged in agricultural production or research including, but not limited to, political subdivisions, special improvement districts and other districts authorized by law.", and (75-0)

Further amend on page 14, at the end of the bill, by adding a new Section to read: "Section 10. This act is effective on its passage and approval" (74-0)

Further amend in Section 4, page 12, line 8, of the second reading bill by adding the word "in" after the word "engage." (85-0)

And, as amended, do pass (65-29).

That House Bill No. 445 do pass (56-35).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

KOLSTAD, Chairman

Report adopted.

Swanberg asked to revert to Order of Business No. 6 without objection. There was objection. Fasbender moved that the House recess for one minute. Motion carried. House recessed. House resumed.

### MOTIONS AND RESOLUTIONS

Swanberg, having voted on the prevailing side in failing to pass House Bill No. 492 on Third Reading at the previous sitting, moved that the House reconsider its action.

Hall asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 52.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Marks, Mercer, Nichols, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 47.

Paired: Marbut, aye; Haines, no; Fasbender, aye; Lombardi, no.

Excused: Zimmer. Total 1.

Absent or not voting: None.

Towe moved that House Bill No. 492 be postponed until the 59th Legislative Day.

Motion carried.

Brand moved that Senate Bill No. 190 be taken from Second Reading

and be referred to Committee on State Administration.

Motion carried.

February 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 463, 320 and 442.

QUILICI, Chairman

Fasbender moved that the House adjourn until 1:30 p.m., February 20, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 20, 1973

House convened pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Haines, Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 43rd Legislative Day, find the same to be correct.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 13, 133, 146, 176, 423, 469 and 502.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 375.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 573.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be concurred in.

BRAND, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be concurred in.

BRAND, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 19, respectfully report as follows: That Senate Joint Resolution No. 19 be amended on page 2, line 25, after the word "the" by striking the figure "[44th]" and inserting in lieu thereof the words "1974 session of the 43rd", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 462, respectfully report as follows: That House Bill No. 462 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bell, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kosena, Kvaalen, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 66.

Noes: Ainsworth, Barrett, Bennetts, Bradley, Edland, Hager, H. Harper, Hodges, Huennekens, Jacobsen, Laas, Lien, Marbut, Murphy, Rolfe, Selstad, Turman, Watt. Total 18.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Brown, Burnett, Ellerd, Fagg, Galt, Greely, Holmes, Kendall, Kimble, Kolstad, Lockrem, Marks, Nichols. Total 14.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 525, respectfully report as follows: That House Bill No. 525 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 76.

Noes: Swanberg. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Brown, Burnett, Edland, Ellerd, Fasbender, Galt, Greely, Hall, Holmes, Kessner, Kimble, Kolstad, Lockrem, Marks, Mercer, Nichols, Schye, Selstad, Staigmillar, Mr. Speaker. Total 21.

February 19, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 be amended on page 1, line 5, by adding "69-1517" at the end of the line

And be further amended on page 2, section 1, line 10 by reinstating the stricken material "pressure vessels", and

Further amend on page 3, line 6 through and including line 18 by reinstating the material therein in its entirety, as follows: "In addition to the state boiler inspectors the industrial accident board shall issue to the inspectors of boiler insurance companies authorized to do business in the state, commission, certificates or other recognition as special boiler inspectors and shall accept the inspection reports of such special inspectors as equivalent to those of the state inspectors, provided that each such special inspector shall hold a certificate as boiler inspector issued by the national board of boiler and pressure vessels inspectors. Such special inspectors shall receive no salary or expenses from the state nor shall the state collect inspection fees for inspections made by such special inspectors.", and

Further amend on page 5, line 9 by deleting "[and hoisting]", and

Further amend on page 11, section 4, subsection (3), line 24, after "shall pay" by deleting all of the subsequent material contained in subsection (3) and subsection (4) through page 12, line 16, "[fees according to the class of license for which application is made, as specified in the following schedule]:"

[(a) First Class .....	\$30 \$15]
[(b) Second Class .....	\$20 \$10]
[(c) Third Class .....	\$12 \$ 6]
[(d) Compression .....	\$10]
[(d) (c) Low pressure .....	\$ 8 \$ 4]



[(e) (f) Traction .....	\$12 \$ 6]
[(f) (g) Renewal of license .....	\$ 4 \$ 2]
[(g) (h) Replacement of lost Certificate .....	\$ 2 \$ 1]

[(4) Each application shall be accompanied by a payment equal to fifty percent (50%) of the license fee for which application is being made, said payment shall be forfeited in the event the applicant fails to appear for the examination at the scheduled time or fails to pass the examination], and insert in lieu thereof "ten dollars (\$10) for an original issue and four dollars (\$4) for a biannual renewal for any class of license.", and

Further amend on page 12, at the beginning of line 17 by numbering that paragraph as subsection (4), "(4)", and

Further amend on page 12, line 19 after the word and punctuation "license." by inserting a new section 5, to read "Section 5. Section 69-1516, R.C.M. 1947 is amended to read as follows: "69-1516. Certificates must be renewed [yearly] biannually—disposition of moneys. All certificates of license to engineers of all classes shall be renewed [yearly] biannually, except as herein provided. Any engineer failing to renew his license as herein provided, or within at least thirty days after the date of expiration shall be assessed the fee for the original license of the same grade, before the license will be reissued. Any engineer failing to renew his license within twelve months of the date of expiration, must reapply for an engineer's license as required by the provisions of section 69-1509; provided, however, that any engineer whose license expired while such engineer was in the military or naval service of the United States shall have ninety (90) days from the time such engineer is discharged from such military or naval service within which to renew his license at the renewal fee.", and

Further amend on page 12, line 20 by renumbering section 5 to read "Section 6.", and

Further amend on page 12, line 22 after "Operators of" by inserting "stationary", and

Further amend on page 12, line 23 after the word and punctuation "licenses." by reinstating the stricken material and new material as follows: "(1) It shall be unlawful for any person to operate any stationary hoisting engine driven by any power when used in lowering or hoisting personnel and material in industrial operations or on construction projects, or any [air] compressor over two hundred and fifty (250) C.F.M. and 80 P.S.I. operated by any power without first obtaining a license thereof from the board as herein provided. Except that in emergencies the provisions of section 69-1517 relating to the employment of unlicensed engineers shall apply to the operation of the engines and machinery named herein. (2) First class stationary hoisting engineers shall be licensed to operate hoisting engines driven by any power and unlimited horsepower used in the lowering or hoisting of personnel and material in industrial operations or on construction projects. (3) Second class stationary hoisting engineers shall be licensed to operate hoisting engines driven by any power and not in excess of one hundred (100) [brake] horsepower used in the lowering or hoisting of personnel and material in industrial operations or on construction projects.", and

Further amend on page 13, line 18 after the word "hoisting" by adding "engines or hoisting", and

Further amend on page 13, line 19, by striking after the word "personnel" the words and punctuation "[or materials]" and inserting in lieu thereof ", material or", and

Further amend on page 14, line 2, after the word "equipment" by adding "or hoisting engines", and

Further amend on page 14, line 7, by deleting after the word "length" the word "[not]", and

Further amend on page 14, line 18, after "feet" by adding "and on stationary hoists not to exceed 100 h.p.", and

Further amend on page 15, line 9 by renumbering section 6 to read "Section 7.", and

Further amend on page 17, line 23 after the word "required" by striking the period "[.]" and inserting the following new material "and paid for by the employer. (d) Applicants for first or second class hoisting engineers license holding a valid first or second class engineers license for the operation of boilers, steam machinery and hoisting engines for the state of Montana prior to enactment of this act shall, upon application during a period not to exceed twelve (12) months after enactment of this act, be granted a hoisting engineer's license in that classification.", and

Further amend on page 18, line 8 by renumbering subsection (d) to read subsection "(e)", and

Further amend on page 18, line 10, by striking "[installations where automatic sensors protect compressor, or on large in plant installations where the same safety automatic sensors protect compressors no licensed operator shall be required].", and insert in lieu thereof "gas and oil pipeline areas where automatic sensors, protect compressor, there is needed no licensed operator.", and

Further amend on page 18, line 14 after "shall" by striking "[prove ninety (90) days' training on compressor operation], and", and

Further amend on page 18, line 17 after the word and punctuation "birthday." by inserting a new subsection to read "(f) Where there is a multiple installation of air compressors that require a licensed operator, the compressors shall be contiguous to one another and in the same general area.", and

Further amend on page 18, line 18 by renumbering section 7 to read "Section 8.", and

Further amend on page 19, at the end of the bill by adding the following new sections to read, "Section 9.—Definitions. Imminent danger means a danger exists which could reasonably be expected to cause death or serious physical harm immediately, or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided by this act. A serious violation exists in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use, in the workplace unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation. Non-serious means a danger which is not a serious or imminent danger violation but is a violation of rules or regulations adopted under this act.

Section 10. Rule Making Power. The administration of this act is vested in the division of workmen's compensation of the department of labor and industry and it shall adopt and prepare written rules or regulations to carry out the intent of this act.

Section 11. Civil Penalties. Civil penalties assessed by the division under this act are as follows: (1) An employer who, due to an inspection, receives a citation for a violation of the requirements of a standard, code, rule, or order adopted or issued under this act, or of rules prescribed under

this act, and the violation is determined not to be of a serious nature, may be assessed a civil penalty not exceeding \$250.00 (two hundred fifty dollars and no/cents) for each violation. (2) An employer who, due to an inspection, has received a citation for a serious violation of the requirements of this act, or any standard, code, rule, or order adopted under this act, or of any rules prescribed under this act shall be assessed a civil penalty not exceeding \$500.00 (five hundred dollars and no/cents) for each violation. (3) An employer who is found to be in violation of a licensing requirement of this act, and the violation is determined not to be of a serious nature, may be assessed a civil penalty not exceeding \$250.00 (two hundred fifty dollars and no/cents) for each violation. (4) An employer who is found to be in violation of the licensing requirements of this act and the violation is considered serious shall be assessed a civil penalty not exceeding \$500.00 (five hundred dollars and no/cents) for each violation. (5) An employer who fails to correct a violation for which a citation has been issued, within the period permitted for its correction, may be assessed a civil penalty not exceeding \$100.00 (one hundred dollars and no/cents) for each day during which the failure or violation continues. (6) An employer who willfully or repeatedly violates the requirements of this act, any standard, rule, code, or order adopted under this act, or rules prescribed under this act, may be assessed a civil penalty not exceeding \$1,000.00 (one thousand dollars and no/cents) for each violation. (7) An employer who violates any standard, code, rule, or order issued under this act, and that violation caused death to an employee, shall, upon conviction, be fined not exceeding \$5,000.00 (five thousand dollars and no/cents) or imprisoned not exceeding six (6) months in the county jail or both.

Section 12. Penalties. Civil penalties owed under this act shall be paid to the division for deposit into the state treasury to the credit of the general fund and shall accrue to this state and may be recovered in a civil action in the name of department of revenue brought in district court in the county where the violation is alleged to have occurred or where the employer has its principal office.

Section 13. Section 69-1517, R.C.M. 1947 shall be amended to read, "69-1517. Operation of boiler or steam engine without license. It is unlawful for any person in this state to operate a stationary boiler or steam engine, or any boiler or steam engine other than railroad locomotives or other engines and boilers exempted by the provisions of section 69-1515, without a license granted under the provisions of this article. The owner, renter, or user of any steam engine or boiler is equally liable for the violation of this section. But in case of accident, sickness, refusal to work, or any unforeseen prevention of the licensed engineer employed by any owner, renter, or user of a steam engine or boiler operated in remote districts, which would retard the work to be performed, the owner, renter, or user may, for the space of fifteen days, employ any person of the age of eighteen years whom he may consider competent to run the engine or boiler, although such person so employed may not be the holder of an engineer's license. The person so employing the unlicensed engineer must immediately notify the inspector or assistant inspector. But no owner, renter, or user of steam machinery shall be allowed to so employ unlicensed engineers for more than fifteen days in any one calendar year. And it shall be unlawful, except as stated in this section, for any person, firm, or corporation to employ any person not duly licensed as an engineer, within the meaning of this act, to run or operate any of the boilers or engines subject to the provisions of this act.", and

As amended, be held over until the Second Half of the 43rd Legislative Session in January, 1974.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.



February 20, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be concurred in.

GUNDERSON, Chairman

Report adopted.

January 26, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Watt, Mr. Speaker. Total 77.

Noes: Bell, Glennen, H. Harper, Huennekens, Lockrem, Roberts, Swanberg, Ulmer, Warfield, Yardley. Total 10.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardanouve, Brown, Edland, Ellerd, Flynn, Galt, Greely, Holmes, Lynch, Schye, Selstad. Total 11.



January 27, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 do pass.

WATT, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Marks. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bardonoue, Baucus, Brown, Colberg, Edland, Ellerd, Fagg, Hall, Kimble, Kvaalen, Lund, Nichols, Schye, Ulmer. Total 14.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardonoue, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Bell, H. Harper, Holmes, Holtz, Lynch, Marks. Total 6.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Brown, Colberg, Cox, Ellerd, Fagg, Galt, Schye, Shelden, Ulmer. Total 9.

January 22, 1973

Mr. Speaker: We, your Committee on Taxation, having had under

consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 77.

Noes: Bardanouve, Bell, Cox, Fasbender, Hall, H. Harper, Holmes, Lynch, Marks, Staigmillier, Stephens, Yardley. Total 12.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Barrett, Brown, Burnett, Colberg, Ellerd, Gunderson, Lockrem, Norman, Schye. Total 9.

February 20, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 225, respectfully report as follows: That Senate Bill No. 225 be concurred in.

HALL, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 334, respectfully report as follows: That Senate Bill No. 334 be concurred in.

HALL, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be amended on page 3, section 2, line 4 of the blue senate bill after the words "only to" by inserting the new material "claims for relief and".

And as amended, be concurred in.

HALL, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 424, respectfully report as follows: That Senate Bill No. 424 be concurred in.

HALL, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 269, respectfully report as follows: That Senate Bill No. 269 be amended on page 1, section 1, line 16 of the blue

senate bill after the words "which plan" by reinserting the word "may" and deleting the word "[shall]", and

Be further amended on page 1, section 1, line 16 of the blue senate bill after the word "include" by reinserting the punctuation mark ":", and deleting the words "[ a housing]", and

Be further amended on page 1, section 1, lines 17 through 25 in the blue senate bill by deleting all of lines 17 through 25 in their entirety, and

Be further amended on page 2, section 1, lines 1 through 5 in the blue senate bill by deleting all of lines 1 through 5 in their entirety, and

Be further amended on page 4, section 1 in the blue senate bill by adding at the end of bill a new subsection reading as follows:

"5. Recommendations setting forth the development, improvement, and extension of areas, if any, to be set aside for use as trailer courts and sites for mobile homes."

And as amended, be concurred in.

(Material brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be concurred in.

LEE, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be concurred in.

LEE, Chairman

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

February 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Senate and House Conference Committee report on Senate Bill No. 17 failed to be adopted by roll call vote this day.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion and duly carried, that the Joint Senate and House Conference Committee on Senate Bill No. 17 be dissolved and a new Conference Committee be appointed.

The President of the Senate appointed the following:

Senator Bertsche, Chairman  
Senator Boylan

Senator Rosell

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution was this day by Committee Report and roll call vote, not concurred in, and the bills are herewith returned to the House:

House Bill No. 111, introduced by Lockrem & Swanberg

House Bill No. 152, introduced by Kessner, Tierney, et al

House Joint Resolution No. 7, introduced by R. Harper, Stephens, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 445, introduced by Darrow, Bertsche, et al

Senate Bill No. 444, introduced by McGowan, Harrison, et al

Senate Bill No. 446, introduced by Bertsche

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 454, introduced by Groff

Senate Bill No. 455, introduced by Groff

Senate Bill No. 51, introduced by Groff, Bertsche and Moritz

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

McKittrick moved that further action on House Bill No. 463 be postponed until the Fifty-fourth Legislative Day.

Cox moved the previous question.

Motion carried.



Thereupon the original motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Senate Bill No. 51, introduced by Groff, Bertsche, Moritz: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 444, introduced by McGowan, Harrison, McOmber, Lowe, Bennett, Groff, Turnage: A bill for an act entitled: "An act providing a system for the appropriation and use of surface and groundwater; providing a procedure for the determination and confirmation of existing water rights; establishing a system of centralized records of all water rights; repealing Sections 89-121 through 89-123, 89-125, 89-801 through 89-819, 89-823 through 89-826, 89-829 through 89-845, 89-847 through 89-855, 89-857 through 89-864, 89-1001 through 89-1024, 89-2911 through 89-2936, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 445, introduced by Darrow, Bertsche, Bennett, Gilfeather, Cochrane, McKeon, Moritz, McGowan, Bollinger: A bill for an act entitled: "An act to amend Sections 89-3503 through 89-3506 and 89-3508, R.C.M. 1947, providing for a change in the definition of a fifty (50) year flood frequency to a flood of one hundred (100) year frequency; providing for immediate enforcement of a designated floodway when an emergency exists; and providing for authority in the Department of Natural Resources and Conservation to enter into agreements with private consultants for acquiring flood data." Referred to Committee on Natural Resources.

Senate Bill No. 446, introduced by Bertsche: A bill for an act entitled: "An act granting public employers and public employees the right to bargain collectively; providing that the Board of Personnel Appeals may designate labor organizations to be exclusive representative of employees in certain units; and may also call elections by employees for the same purpose; providing the Board of Personnel Appeals shall establish remedies for unfair labor practices; and providing procedures for carrying out the act." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 454, introduced by Groff: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1973 and 1974, providing a severability clause and an effective date." Referred to Committee on Taxation.

Senate Bill No. 455, introduced by Groff: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1973 and 1974." Referred to Committee on Taxation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 207 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena,

Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 93.

Noes: Selstad. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Asbjornson, Bennetts, Kendall, Watt. Total 4.

House Bill No. 265 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Brand, Driscoll, Hall, Lockrem, Marbut, Mercer, Ulmer. Total 7.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Clemow, Colberg. Total 2.

House Bill No. 320 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Bardanouve, Bennetts, Bradley, Cox, Ellerd, Greely, Hodges, Kimble, Lynch, Marbut, Quilici, Roberts, Shelden, Tierney, Towe, Turman. Total 16.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Schye. Total 1.

House Bill No. 330 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Bell, Campbell, Castles, Clemow, East, Ellerd, Galt, Hager, Hubing, Jones, Kessner, Kvaalen, Laas, Lockrem, Lundgren, Prevost, Rolfe, Selstad, Smith, Turner, Walborn. Total 21.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Bennetts. Total 1.

House Bill No. 359 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKitt-trick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Bell, Cox, Ellerd, Jones, Kvaalen, Lien, Lund, Prevost, Rolfe, Smith, Walborn, Warfield. Total 12.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 407 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,

Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 427 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.



Noes: None.

Excused: Haines. Total 1.

Absent or not voting: Bardanouve, Holtz, Kendall. Total 3.

House Bill No. 434 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Walborn. Total 1.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Clemow, Ellerd, Nichols, Norman, Smith. Total 5.

House Bill No. 442 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 98.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 455 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Haines, Zimmer. Total 2.



Absent or not voting: Clemow, Holtz, Kimble. Total 3.

House Bill No. 461 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 97.

Noes: None.

Excused: Haines, Zimmer. Total 2.

Absent or not voting: Clemow. Total 1.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Greely in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading. Recommend as follows:

That House Bill No. 559 be moved below House Bill No. 440.

That House Bill No. 202 be amended in the title on page 1, lines 13 and 14 of the second reading bill (being lines 10 and 11 of the introduced bill), after "[1947]". by deleting "[, and amending Section 94-3616, R.C.M. 1947]", and (67-7)

Further amend on pages 1 through 7 by deleting in its entirety all material following the enacting clause and inserting in lieu thereof the following new material:

Section 1. The legislature sets forth the policy and authority of this state to favor, encourage and support family planning.

Section 2. Definitions. For the purpose of this act and as used herein:

(a) "department" means the department of Health and Environmental Sciences;

(b) "physician" means any doctor of medicine duly licensed to practice his profession in Montana or the state in which he resides and lawfully practices his profession;

(c) "contraceptive procedures" means any medically accepted procedure designed to prevent conception;

(d) "contraceptive supplies" means those medically approved items designed to prevent conception through medical, chemical, mechanical, or other means.

Section 3. Department to implement programs—rules and regulations—information.

(a) The department is authorized to receive and disburse such funds as may become available to it for family planning programs to any organization, public or private, engaged in providing contraceptive procedures, supplies and information. Any family planning program administered by the board may be developed in consultation and coordination with other family planning agencies in this state.

(b) The department is hereby authorized to adopt and promulgate rules and regulations to implement the provisions of this act.

(c) The department may provide for the dissemination of medically acceptable contraceptive information and supplies by duly authorized persons in state and county health and welfare departments.

Section 4. Furnishing of supplies and information. Contraceptive supplies and information may be furnished by physicians to all adults and to any minor who is a parent, or married, or who has the consent of his or her parent or legal guardian, or who may be treated under chapter 61 of title 69 of the R.C.M. 1947." (82-0)

And be further amended in Section 3, Subsection (c) omit the period and add the words "to adults.", (84-0)

And as amended, do not pass (56-36).

That House Bill No. 440 be amended in Section 1, page 2, line 5 after the word "selected" by adding the following new language: "from each of the following four (4) groups, each of which will be selected" (84-0)

And as amended, do pass (88-1).

That House Bill No. 559 be amended in the title, page 1, lines 13 and 14, by striking the words and figures "[and adding a new section to be numbered 23-3104, R.C.M. 1947.]" (69-0).

And be further amended on page 7, section 7, lines 4 and 5 by striking the words "[There is a new section to be numbered 23-3104, R.C.M. 1947, which reads as follows.]"

Further amend on page 7, section 7, line 6, by striking the figures "[23-3104].";

Further amend on page 8, line 13 by adding the following material: "Section 8. Thirty (30) days before an election the county registrar shall send the secretary of state a certificate showing the number of voters registered in each precinct in a county.";

Further amend subsequent sections to conform numerically. (73-0)

And as amended, do pass (49-48).

That Senate Bill No. 12 be amended in section 3, on page 7, line 12, of the Senate Third Reading and introduced bill, following the word "provided." by inserting the following material: "Such petition containing signatures after filing with the county clerk and including after filing with the secretary of state clerk shall not be open to inspection for the purpose of withdrawal of signatures." (48-26)

And as amended, be concurred in. (77-0)

That Senate Bill No. 63 be amended on page 5, lines 6 and 7 of the Senate Third Reading bill, being line 25, page 4 of the introduced bill, by adding a comma "," after the word "outstanding", and striking the words "[and/or]", and

Further amend page 5, line 7 of the Senate Third Reading bill, being line 25, page 4 of the introduced bill, by inserting after the word "payable" the words and punctuation, "all other obligations of the city." (67-1)

And, carrying the above amendments, be passed for the day.

That Senate Bill No. 71 be concurred in (70-15).

That Senate Bill No. 73 be concurred in (78-0).

That Senate Bill No. 146 be concurred in (64-18).

That Senate Bill No. 149 be concurred in (85-1).

That Senate Bill No. 155 be concurred in (80-0).

That Senate Bill No. 157 be concurred in (64-24).

That Senate Bill No. 166 be concurred in (79-0).

That Senate Bill No. 174 be concurred in (74-0).

That Senate Bill No. 176 be concurred in (82-0).

That Senate Bill No. 184 be concurred in (63-20).

That Senate Bill No. 185 be concurred in (61-16).

That Senate Bill No. 204 be concurred in (76-1).

That Senate Bill No. 210 be concurred in (76-0).

That Senate Bill No. 236 be concurred in (81-0).

That Senate Bill No. 285 be concurred in (81-0).

That Senate Bill No. 286 be concurred in (82-0).

That Senate Bill No. 287 be concurred in (80-1).

That Senate Bill No. 288 be concurred in (76-0).

That Senate Joint Resolution No. 12 be concurred in (80-1).

That Senate Joint Resolution No. 15 be concurred in (84-0).

That Senate Joint Resolution No. 17 be concurred in (82-1).

That Senate Joint Resolution No. 20 be concurred in (79-2).

That Senate Joint Resolution No. 22 be concurred in (81-0).

That Senate Bill No. 5 be concurred in (69-11).

That Senate Bill No. 9 be amended by reinstating the material on page 11, line 7 through page 12, line 7 of the Third Reading bill. (63-3)

And further amend by reinstating the material on page 21, line 25 through page 22, line 13 of the Third Reading bill. (65-3)

And further amend by reinstating the material on page 46, line 23 through page 47, line 25 of the Third Reading bill. (61-1)

And as amended, be concurred in. (55-27)

That Senate Bill No. 32 be concurred in. (70-0)

That the Committee rise and report.

(Material brackets denotes cancelled type.)

GREELY, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 132.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 445, 538, 555.

QUILICI, Chairman

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Conference Committee on Senate Bill No. 17 be dissolved and that the Speaker appoint a new committee to meet with the Senate.

Motion carried.

The Speaker appointed the following Conference Committee on Senate Bill No. 17: Hall, chairman; Kosena, Lucas.

Fasbender moved that the House adjourn until 1:30 p.m., February 21, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk.

### FORTY-FIFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

February 21, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Haines, Laas, and Bell, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-Fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

February 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 448 and 530.

QUILICI, Chairman

February 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the



following bills considered correctly engrossed: House Bill No. 489 and House Joint Resolutions Nos. 29 and 5.

QUILICI, Chairman

February 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 123, 127 and 542.

QUILICI, Chairman

February 20, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be amended on page 1, Section 1, line 16, after the word "has" by striking "[no legal county residence]" and insert in lieu thereof "not maintained legal residence in a single county for one (1) year or more", and

Further amend on page 1, Section 1, Subsection (2), line 21, after the word "shall" by inserting "for the purpose of this act be deemed to",

And further amend on page 1, Section 1, Subsection (2), line 23, after the word "will" by striking "[gain]" and inserting in lieu thereof "be deemed to have gained", and

As amended, be concurred in.

LEE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 578, respectfully report as follows: That House Bill No. 578 be amended in the title, page 1, line 6, by inserting after the word "federal" the words "and private";

Further amend on page 1, Section 1, Subsection (1), line 16, by striking the word "[constituion]" and inserting in lieu thereof the word "constitution";

Further amend on page 1, Section 1, Subsection (2), lines 19 and 20 by striking the word and figures "[twenty (20)]" and inserting in lieu thereof the words and figures "twenty-five (25)";

Further amend on page 1, Section 1, Subsection (3), line 25, by striking following the word "broadly" the word "[and]";

Further amend on page 2, Section 1, Subsection (3), line 1, by striking the word "[equitably]";

Further amend on page 3, Section 4, line 4, by adding a new sentence following the period "The commission may use other state agencies or institutions to make studies, conduct surveys, submit recommendations, or otherwise contribute services or expertise to the commission in conducting its activities under this act."

Further amend on page 3, Section 7, line 15, by inserting following the word "federal" the words "and private";

Further amend on page 3, Section 8, line 20, by inserting following the word "federal" the words "or private";

And, as amended, do pass.

BARDANOUE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 581, respectfully report as follows: That House Bill No. 581 do pass.

BARDANOUE, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 574, respectfully report as follows: That House Bill No. 574 do pass.

BARDANOUE, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Resolution No. 30, respectfully report as follows: That Senate Joint Resolution No. 30 be amended on page 3, line 9 of the Senate Third Reading Resolution, after the word "association," by striking the word "[and]", and

Be further amended on page 3, line 10, of the Senate Third Reading Resolution, after the word "grange", by inserting the following material: "; Montana national farmers organization; the Montana grain growers", and

As amended, be concurred in.

STAIGMILLER, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 147, respectfully report as follows: That Senate Bill No. 147 be amended on page 1, line 9, in the title, of the Senate Third Reading and Original Bill, by reinstating the stricken material: "; and reducing the time from six (6) months to ninety (90) days that the person be a resident of Montana", and

Be further amended on page 2, line 7, of the Senate Third Reading Bill before the word "immediately", by striking the material: "[six (6) months]", and inserting in lieu thereof the material: "ninety (90) days", and

As amended, be concurred in.

STAIGMILLER, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 389, respectfully report as follows: That Senate Bill No. 389 be amended in the title, line 8 of the Senate Third Reading and Introduced Bill, by deleting the following language "[that the number of deputy registrars for

each precinct shall always be equally divided between the two (2) political parties, and]" and,

Further amend in the title, line 12, of the Senate Third Reading Bill by deleting the "[quotation mark]" and adding the following language: "; and providing for instruction of deputy registrars." and

Further amend on page 2, line 4-7, Section 1, of the Senate Third Reading Bill and Introduced Bill by deleting the following material: "[The number of deputy registrars for each precinct shall always be equally divided between the two (2) major political parties.]" and,

Further amend on page 2, line 11, Section 1, of the Senate Third Reading Bill and Introduced Bill, after "Subsection b" a new sentence be added to read as follows: "(c) No duly appointed deputy registrar shall register any voter until such deputy registrar shall have been issued a certificate of approval by the county registrar, certifying that said deputy registrar has received instructions on registration procedure from the county registrar."

And, as amended, be concurred in.

LOMBARDI, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 322, respectfully report as follows: That Senate Bill No. 322 be amended in the title of the Third Reading Bill and Introduced Bill on line 8, after the word "survey;" insert the word "and" and

Further amend in the title of the Third Reading Bill and Introduced Bill on line 9, after the word "canceled" by adding a "period (.)" and also "quotation mark"', and

Further amend in the title of the Third Reading Bill and the Introduced Bill on lines 10 and 11, by deleting the following language: "[and by providing that registration may not be canceled while a registered voter is serving in the armed forces.]" and

Further amend on page 2, lines 10 and 11, Section 1, of the Third Reading Bill, and not in the Introduced Bill, by striking all of the language in these lines.

And, as amended, be concurred in.

LOMBARDI, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 325, respectfully report as follows: That Senate Bill No. 325 be amended on page 2, line 7, Section 1, of the Third Reading Bill and the Introduced Bill, by adding after the sentence which ends "committeeman." by adding the following language: "If party rules permit the use of a proxy," and,

Further amend on page 2, lines 7, 8 and 9, Section 1, of the Third Reading Bill and of the Introduced Bill, by restoring all of the deleted material in these lines after the word "committeeman." and

Further amend on page 2, line 7, Section 1, of the Third Reading Bill and the Introduced Bill by changing the capital letter on "[No]" to read "no", and

As amended, be concurred in.

LOMBARDI, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 348, respectfully report as follows: That Senate Bill No. 348 be not concurred in.

LOMBARDI, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Baucus, Brand, Brown, Edland, Ellerd, Fagg, Holmes, Kvaalen, Lockrem, Lund, Lundgren, Menahan, Norman, Roberts, Staigmiller, Towe, Walborn, Zimmer. Total 18.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 390, respectfully report as follows: That Senate Bill No. 390 be concurred in.

LOMBARDI, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 323, respectfully report as follows: That Senate Bill No. 323 be concurred in.

LOMBARDI, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 324, respectfully report as follows: That Senate Bill No. 324 be concurred in.

LOMBARDI, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 297, respectfully report as follows:



That Senate Bill No. 297 be concurred in.

KOSENSA, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 221, respectfully report as follows: That Senate Bill No. 221 be concurred in.

KOSENSA, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 329, respectfully report as follows: That Senate Bill No. 329 be concurred in.

KOSENSA, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 307, respectfully report as follows: That Senate Bill No. 307 be concurred in.

KOSENSA, Chairman

Report adopted.

The Speaker signed in open session Senate Bill No. 67 and Senate Joint Resolution No. 13.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be amended on page 1, in the title, line 7, of the Third Reading Senate Bill and the Original Bill, after "employer" by inserting "and providing comprehensive coverage extending to subcontractors", and

As amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be amended on page 5, Section 5, line 11 (this material not being in the original bill), after the word "otherwise" by striking the following material "[.; providing, however, that in computing the payroll in agricultural employment, the payroll payable only in money shall be used in computation.]" and inserting in lieu thereof ":", and

As amended, be concurred in.

McKITTRICK, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 116, respectfully report as follows: That Senate Bill No. 116 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 117, respectfully report as follows: That Senate Bill No. 117 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 118, respectfully report as follows: That Senate Bill No. 118 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be amended on page 1, Section 1, line 17, of the Third Reading Senate Bill (this material not contained in the original Senate bill), after the word and punctuation "considered." by striking the following material in its entirety "[in the computation of wages in agricultural employment only earnings payable in money shall be used in the computation.]", and

As amended, be concurred in.

McKITTRICK, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 232, respectfully report as follows: That Senate Bill No. 232 be concurred in.

MEHRENS, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration Senate Bill No. 218, respectfully report as follows: That Senate Bill No. 218 be concurred in.

MEHRENS, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 40, respectfully report as follows: That Senate Joint Resolution No. 40 be concurred in.

MEHRENS, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 95, respectfully report as follows: That Senate Bill No. 95 be amended in the Third Reading Bill on page 6, Section 3, Subsection (2), line 16, after the word "through" by striking the figure "[63-2303.6]" and inserting in lieu thereof the figure "67-2303.6", and

As amended, be concurred in.

MEHRENS, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

#### MESSAGES FROM THE SENATE

February 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 19, introduced by Ainsworth, Gerke (by request)

House Bill No. 48, introduced by Gerke

House Bill No. 74, introduced by Kendall, Glennen, et al

House Bill No. 80, introduced by Fagg, Gunderson, et al

House Bill No. 103, introduced by Swanberg, Edland, Staigmiller

House Bill No. 113, introduced by Bardanouve

House Bill No. 116, introduced by Lockrem and Kosena.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 456, introduced by Groff, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 100, introduced by Lynch, Lee, et al, was this day read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day non-concurred in by Committee Report and duly carried by roll call votes, and the bills are herewith being returned to the House:

House Bill No. 28, introduced by Lucas and Shelden (by request)

House Bill No. 75, introduced by Greely, Bardanouve, et al

House Bill No. 102, introduced by Brand

House Bill No. 158, introduced by Kimble, Norman, et al

House Joint Resolution No. 24, introduced by Colberg, Huennekens, et al.

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Halvorson, having voted on the prevailing side in adopting an adverse committee report on House Bills Nos. 327 and 354, moved that the House reconsider its action.

Motion carried.

McKittrick, having voted on the prevailing side in adopting an adverse Committee of the Whole report on House Bill No. 202, moved that the House reconsider its action.

Motion carried.

McKittrick moved that House Bill No. 202 be rereferred to Committee on Public Health, Welfare and Safety.

Motion carried.

Norman, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 462, moved that the House reconsider its action.

Nichols moved the previous question.

Motion carried.

Marks moved that House Bills Nos. 327 and 354 be rereferred to Committee on Taxation.

Motion carried.



Bardanouve moved that House Bill No. 457 be taken from Committee on Finance and Claims and be rereferred to Long Range Building Committee.

Motion carried.

Fasbender moved that the Rules be suspended and House Bill No. 127 be placed on Third Reading this day.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Bill No. 456, introduced by Groff: A bill for an act entitled: "An act providing that compensation for legislators when engaged in official business during an interim period is computed in quarters of days." Referred to Committee on Finance and Claims.

House Resolution No. 15, introduced by Bennetts, Watt, Murphy, H. Harper, R. Harper, Bradley, Jacobsen, Cotton, Baucus, Kimble, Hodges, Gunderson, Regan, Lee, Quilici, Fleming, Towe, Lynch, Kosena, Menahan, Flynn, Baeth, Healy, Stoltz, Roberts, McKittrick, Holmes, Lombardi, Kendall, Sheldon, Driscoll, Turman, Marbut: A Resolution of the House of Representatives of the State of Montana to urge the President of the United States to reinstate funding for economic opportunity act programs. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 16, introduced by Greely, McKittrick, Swanberg, Staigmiller, Tierney, Hodges, Gunderson, Regan, Fasbender, Towe, Holmes: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to conduct a comprehensive study of election laws and to draft model legislation. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 583, introduced by Kimble, Swanberg, Bell: A bill for an act entitled: "An act to amend Section 84, Chapter 49, R.C.M. 1947, by adding a new Section exempting the first one thousand dollars (\$1,000) of compensation received from the United States for service as a reserve or active member of the armed forces from imposition of income tax." Referred to Committee on Taxation.

House Bill No. 584, introduced by Tierney, McKittrick, Lucas, Greely: A bill for an act entitled: "An act codifying and generally revising the laws pertaining to consumer credit; relating to certain consumer and other credit transactions and constituting the Uniform Consumer Credit Code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation; amending Sections 7-113, 17-206, 41-304, 47-119, 47-124 through 47-127, 74-325, 74-505, 87A-9-203, 93-5816 and 93-8601, R.C.M. 1947; and repealing Sections 5-527, 5-1301 through 5-1311, 41-1501 through 41-1510, 47-201 through 47-228 and 74-601 through 74-612, R.C.M. 1947." Referred to Committee on Business and Industry.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 13 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Burnett, Campbell, Ellerd, Holtz, Olson, Rolfe, Selstad, Smith. Total 8.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bennetts, Colberg, Lockrem, McKittrick. Total 4.

House Bill No. 132 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 65.

Noes: Asbjornson, Barrett, Burnett, Campbell, Castles, Clemow, Cox, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hager, Holtz, Jones, Marks, Mehrens, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 29.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: East, Hubing, Lundgren. Total 3.

House Bill No. 133 failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kvaalen, Lombardi, Lynch, McKittrick, Manuel, Marbut, Norman, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt. Total 42.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Healy, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kosena, Lee, Lien, Lockrem, Lucas, Lund, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 54.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Lundgren. Total 1.

House Bill No. 146 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huen-

nekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Clemow, Jones, Kolstad, Lundgren, Mehrens, Olson, Prevost, Schepens, Turner. Total 9.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Brown, R. Harper, Smith, Staigmilller, Ulmer. Total 5.

House Bill No. 423 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Cox, Turner, Ulmer, Watt. Total 4.

House Bill No. 445 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Burnett, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: Ainsworth, Asbjornson, Barrett, Brown, Campbell, Castles, Clemow, East, Ellerd, Galt, Halvorson, Holtz, Hubing, Jones, Kvaalen, Lockrem, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 28.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: None.

House Bill No. 469 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Nor-



man, Olson, Quilici, Regan, Roberts, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Huennekens, Prevost, Schepens, Selstad. Total 5.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bradley, Brown, Rolfe, Smith, Walborn. Total 5.

House Bill No. 502 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Yardley, Zimmer, Mr. Speaker. Total 65.

Noes: Burnett, Campbell, Clemow, Cox, Ellerd, Flynn, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kessner, Kvaalen, Lien, Lockrem, Lundgren, Manuel, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmiller, Turner, Walborn. Total 29.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Hall, Tierney, Watt. Total 3.

Tierney moved that House Bill No. 538 be amended on page 1, line 4, by adding "23-3318" to the key line.

And further amend the title, line 8, after the semicolon (;) and after the word "primary" by adding the following words and figures and punctuation: "repealing Subsections (3), (4) and (6) of Section 23-3318, R.C.M. 1947."

Motion failed (27-63).

House Bill No. 538 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Brand, Colberg, Cotton, Cox, Edland, Fasbender, Forsgren, Galt, Gunderson, Hageman, Hager, Hall, R. Harper, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kvaalen, Lee, Lien, Lockrem, Lombardi, McKittrick, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Stoltz, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 51.

Noes: Aageson, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Glennen, Greely, Halvorson, H. Harper, Healy, Hodges, Hubing, Jones, Kolstad, Kosena, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mercer, Olson, Quilici, Seifert, Smith, Staigmiller, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn. Total 44.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Stephens, Warfield. Total 2.

House Bill No. 555 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Hal-



vorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Castles. Total 1.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Fagg, Lundgren, Schye. Total 4.

House Bill No. 573 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Ulmer. Total 1.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Lockrem, Watt. Total 3.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 12 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Driscoll, Jones, Lockrem, Smith. Total 5.

Senate Bill No. 71 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East,

Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Baucus, Bennetts, Bradley, Colberg, Hall, Huennekens, Kimble, Marbut, Murphy, Roberts, Shelden, Towe, Turman. Total 13.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Ellerd, Lockrem, Schye. Total 4.

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Zimmer. Total 1.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Baucus, Burnett, Hall, Lockrem, Marks. Total 5.

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lien, Lund, McKittrick, Manuel, Marbut, Mercer, Nichols, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: Clemow, Driscoll, East, Glennen, H. Harper, Healy, Hubing, Jones, Kimble, Lee, Lombardi, Lucas, Lynch, Mehrens, Menahan, Norman, Olson, Quilici, Ulmer, Walborn. Total 20.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Fleming, R. Harper, Johnston, Lockrem, Lundgren, Marks, Murphy. Total 8.

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kessner, Kimble, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan,

Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Cox, Kolstad, Mehrens, Quilici. Total 4.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Colberg, Jacobsen, Johnston, Kendall, Kosena, Lockrem, Shelden, Smith. Total 9.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Lockrem, Murphy, Staigmilller. Total 4.

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kosena, Lien, Lucas, Lundgren, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Asbjornson, Barrett, Brand, Clemow, Cotton, Ellerd, Hager, R. Harper, Healy, Johnston, Kessner, Kolstad, Lee, Lombardi, Lund, Lynch, McKittrick, Rolfe, Schye, Seifert, Selstad, Smith, Walborn, Zimmer. Total 25.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Galt, Kvaalen, Lockrem. Total 4.

Senate Bill No. 166 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz,



Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Lockrem, McKittrick, Nichols. Total 4.

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Sheldon, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Asbjornson, Burnett, Lockrem, Zimmer. Total 4.

Senate Bill No. 176 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Sheldon, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Lockrem, Lucas, Nichols, Selstad. Total 5.

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Sheldon, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Castles, Clemow, Cox, East, Ellerd, Glennen, Hager, Hubing, Jones, Kessner, Kvaalen, Lucas, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Seifert, Selstad, Smith, Ulmer, Walborn. Total 23.



Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Colberg, Johnston, Lockrem. Total 4.

Senate Bill No. 185 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Cotton, Driscoll, Edland, Fagg, Fاسبender, Fleming, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Ainsworth, Castles, Clemow, Cox, East, Ellerd, Flynn, Galt, Holtz, Hubing, Kessner, Kvaalen, Lund, Marks, Olson, Rolfe, Seifert, Selstad, Turner, Ulmer, Walborn. Total 21.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Asbjornson, Burnett, Colberg, Forsgren, Lockrem, Smith. Total 6.

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Menahan. Total 1.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Asbjornson, Burnett, Colberg, Lockrem, Smith, Turner. Total 6.

Senate Bill No. 210 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Asbjornson, Burnett, Colberg, Lockrem. Total 4.

Senate Bill No. 236 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Asbjornson, Burnett, Colberg, Fagg, Flynn, Lockrem, Stephens. Total 7.

Senate Bill No. 285 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Colberg, Hager, Hall, Lockrem, Stephens, Yardley. Total 7.

Senate Bill No. 286 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bardanouve, Burnett, East, Jones, Lockrem, Staigmilller, Stephens, Ulmer. Total 8.

Senate Bill No. 287 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bardanouve, Burnett, Edland, Galt, Glennen, Holtz, Kvaalen, Lockrem, Stephens, Ulmer. Total 10.

Senate Bill No. 288 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bardanouve, Burnett, Campbell, Galt, Halvorson, Lockrem, Stephens. Total 7.

Senate Joint Resolution No. 12 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmill, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Huennekens, Kvaalen. Total 2.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bennetts, Burnett, Colberg, Forsgren, Galt, Holtz, Lockrem, Schye, Stephens, Tierney, Ulmer. Total 11.

Senate Joint Resolution No. 15 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg,



Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Baeth, Burnett, East, Fleming, Galt, Hubing, Lockrem, Schye, Selstad, Stephens. Total 10.

Senate Joint Resolution No. 17 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Ellerd, Turner. Total 2.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Galt, Lockrem, Mercer, Nichols, Schye, Selstad, Smith, Stephens, Tierney, Walborn. Total 11.

Senate Joint Resolution No. 20 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Ellerd, Selstad, Ulmer. Total 3.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Brown, Burnett, Castles, East, Galt, Hubing, Lockrem, Lundgren, Schye, Stephens, Turner. Total 11.

Senate Joint Resolution No. 22 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad,



Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, East, Galt, Lockrem, McKittrick, Schye, Stephens. Total 7.

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: East, Ellerd, Hubing, Jones, Kessner, Kvaalen, Mercer, Olson, Prevost, Schepens, Schye, Selstad, Smith. Total 13.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Burnett, Galt, Holtz, Lockrem, Stephens. Total 5.

Senate Bill No. 9 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Asbjornson, Campbell, Cox, East, Ellerd, Fagg, Glennen, Hager, Holtz, Hubing, Jones, Kolstad, Kosena, Kvaalen, Lien, Lucas, Mercer, Olson, Prevost, Schepens, Selstad, Smith, Ulmer. Total 23.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bennetts, Burnett, Galt, H. Harper, Lockrem, Lundgren, Marks, Stephens, Zimmer. Total 9.

Senate Bill No. 32 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols,

Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Bardanouve, Burnett, Fleming, Lockrem, Regan, Stephens. Total 6.

### THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Bardanouve moved that House Bill No. 127 be amended on the Third Reading Bill by inserting the following words at page 9, line 22, after the figure "\$300,000,000)":

"It is the intent of the legislature that the revenues derived from the filing fee be used by the department in compiling the information required for rendering a decision on a certificate and for carrying out its other responsibilities under this act; (91-0)

Further amend on page 27, line 21, by striking the word "[substance]" and inserting in lieu thereof the word "substances". (91-0)

Motion carried.

(Material in brackets denotes cancelled type.)

House Bill No. 127 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Bell, Haines, Laas. Total 3.

Absent or not voting: Ashbjornson, Burnett, Jones, Lundgren. Total 4.

### MOTIONS AND RESOLUTIONS

Fasbender, having voted on the prevailing side, moved that the House reconsider its action on passing Senate Bill No. 174 on Third Reading this day.

Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

H. Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

- That Senate Bill No. 63 be concurred in (68-1).
- That Senate Bill No. 98 be concurred in (61-4).
- That Senate Bill No. 100 be concurred in (67-1).
- That Senate Bill No. 150 be concurred in (67-2).
- That Senate Bill No. 222 be concurred in (70-0).
- That Senate Bill No. 224 be concurred in (65-3).
- That Senate Bill No. 234 be concurred in (71-0).
- That Senate Bill No. 270 be concurred in (74-0).
- That Senate Bill No. 291 be concurred in (72-4).
- That Senate Bill No. 321 be concurred in (67-1).
- That Senate Bill No. 357 be concurred in (64-0).
- That Senate Bill No. 372 be concurred in (68-2).
- That Senate Bill No. 384 be concurred in (68-0).
- That Senate Bill No. 402 be concurred in (67-0).
- That Senate Bill No. 417 be concurred in (63-0).
- That Senate Joint Resolution No. 26 be concurred in (71-0).
- That House Bill No. 375 do pass (72-0).
- That Senate Bill No. 6 be concurred in (66-0).
- That Senate Bill No. 43 be concurred in (61-10).
- That Senate Bill No. 50 be concurred in (73-0).
- That Senate Bill No. 59 be concurred in (69-1).
- That Senate Bill No. 78 be concurred in (79-0).
- That Senate Bill No. 105 be concurred in (76-0).
- That Senate Bill No. 140 be concurred in (79-6).
- That Senate Bill No. 171 be concurred in (85-0).
- That the Committee rise and report.

H. HARPER, Chairman

Report adopted.

#### REPORTS OF STANDING COMMITTEES

January 29, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 506, respectfully report as follows: That House Bill No. 506 be amended on page 1, title, line 10, after the word "EXCEED" by striking the word and figure "[THREE(3)]" and inserting in lieu thereof the word and figure "SEVEN (7)", and

Be further amended on page 1, Section 1, line 23, after the word "reduce," by striking the word "[eliminate]" and inserting in lieu thereof the words "substantially reduce", and

Be further amended on page 1, Section 1, line 24, after the word "pollution" by inserting the words "below the level that would exist in similar production activity without such equipment", and

Be further amended on page 2, Section 1, line 1, after the word "exceed" by striking the word and figure "[three (3)]" and inserting in lieu thereof the word and figure "seven (7)", and

Be further amended on page 2, Section 1, line 1, after the word "years" by inserting the words "except such property now in operation or planned before the effective date of this act and placed in service within five (5) years of enactment of this act shall remain in class seven (7)", and

Be further amended on page 2, Section 1, line 7, after the word "for" by striking the word and figure "[three (3)]" and inserting in lieu thereof the word and figure "seven (7)", and

Be further amended on page 2, Section 1, line 9, after the word "reduce," by striking the word "[eliminate]" and inserting in lieu thereof the words "substantially reduce", and

As amended, do pass.

WATT, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 519, respectfully report as follows: That House Bill No. 519 be amended on page 1, title, line 9, after the word "PROVIDE" by striking the word "[INFORMATION]" and inserting in lieu thereof the word "LISTS", and

Be further amended on page 1, title, line 11, after the word and punctuation "ACT;" by striking the word "[AND]", and

Be further amended on page 1, title, line 11, after the word "THE" by striking the word "[INFORMATION]" and inserting in lieu thereof the word "LISTS", and

Be further amended on page 1, title, line 12, after the word "RECORD" by inserting the words and punctuation "; AND PROVIDING AN EFFECTIVE DATE", and

Be further amended on page 2, Section 3, Subsection 4, line 9, after the word "require" by inserting the words "to administer the purposes of this act", and

Be further amended on page 2, Section 4, Subsection 4, line 20, after the word "require" by inserting the words "to administer the purposes of this act", and

Be further amended on page 3, Section 6, beginning on line 14, by striking the word "[information]" and inserting in lieu thereof the word "list" and

Be further amended on page 3, Section 7, line 16, after the word "lists" by striking the words "[or information]", and

Be further amended on page 3, after line 17, by adding a new Section 8 to read "Section 8. This act shall be effective July 1, 1974.", and



As amended, do pass.

WATT, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 20, 1973

I have examined House Joint Resolution No. 12 introduced by me and find the same to be correct.

MANUEL

February 20, 1973

I have examined House Bill No. 231 introduced by me and find the same to be correct.

HAGEMAN

February 21, 1973

I have examined House Bill No. 27 introduced by me and find the same to be correct.

AINSWORTH

February 21, 1973

I have examined House Bill No. 282 introduced by me and find the same to be correct.

HAGER

February 21, 1973

I have examined House Bill No. 29 introduced by me and find the same to be correct.

LUCAS

February 21, 1973

I have examined House Bill No. 30 introduced by me and find the same to be correct.

LUCAS

February 20, 1973

I have examined House Bill No. 10 introduced by me and find the same to be correct.

SHELDEN

The Speaker signed in open session House Joint Resolution No. 12 and House Bills Nos. 231, 27, 282, 29, 30, and 10.

February 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 282, 29, 30, 231, 10, 27 and House Joint Resolution No. 12.

QUILICI, Chairman

Kvaalen moved that the House revert to the Order of Business No. 6. Motion carried.

#### MOTIONS AND RESOLUTIONS

Walborn, having voted on the prevailing side in failing to pass House Bill No. 133 on Third Reading this day, moved that the House reconsider its action.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 22, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

February 22, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

On roll call all members present except Burnett, Schye, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 45th Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 22, 1973

I have examined House Bill No. 65 introduced by me and find the same to be correct.

McKITTRICK, Chairman

The Speaker signed in open session, House Bill No. 65.

February 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 440 and 559.

QUILICI, Chairman

February 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 65.

QUILICI, Chairman

February 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 574 and 581.

QUILICI, Chairman

February 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 375.

QUILICI, Chairman

February 22, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 154, respectfully report as follows: That

Senate Bill No. 154 be not concurred in.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Bennetts, Fleming, R. Harper, Kosena, Mehrens, Smith, Swanberg, Towe, Yardley. Total 10.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 258, respectfully report as follows: That Senate Bill No. 258 be amended on page 1, section 1, line 21 of the Senate Third Reading and introduced bill, following the numbers "1.00" by deleting the numbers "[5.00]" and inserting in lieu thereof the numbers "2.50", and

Further amend on page 1, section 1, line 22 of the Senate Third Reading and Introduced bill, following the numbers "2.50" by deleting the numbers "[7.50]" and inserting in lieu thereof the numbers "5.00", and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 10, respectfully report as follows: That Senate Joint Resolution No. 10 be adopted.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 90, respectfully report as follows: That Senate Bill No. 90 be concurred in.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be concurred in.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be concurred in.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 160, respectfully report as follows: That Senate Bill No. 160 be concurred in.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 25, respectfully report as follows: That Senate Joint Resolution No. 25 be adopted.

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be concurred in.

BRAND, Chairman

Report adopted.

January 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 251, respectfully report as follows: That Senate Bill No. 251 be not concurred in.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Cotton, Greely, Gunderson. Total 3.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Aageson, Bennetts, Brown, Fagg, Halvorson, Lundgren, Roberts, Selstad, Swanberg, Towe, Watt. Total 11.

February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 21, respectfully report as follows: That Senate Joint Resolution No. 21 be concurred in.

BRAND, Chairman

Report adopted.



February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 336, respectfully report as follows: That Senate Bill No. 336 be not concurred in.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bell, Campbell. Total 2.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bennetts, Brown, Clemow, Ellerd, Fagg, Lundgren, McKittrick, Marks, Selstad, Swanberg, Towe. Total 11.

February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 200, respectfully report as follows: That Senate Bill No. 200 be amended on page 2 of the Third Reading and original bill, in section 1, line 3, after the word "the" by inserting the following material: "Montana State Board of Food Distributors or the", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be amended on page 1 of the third reading and original bill, in section 1, line 16, after the word "study", by striking the word "[monitor]", and

Further amend on page 2 of the third reading and original bill, after line 3, by adding a new section 2 to read: "[Section] 2. This act shall expire after June 30, 1975.", and

As so amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 259, respectfully report as follows: That Senate Bill No. 259 be concurred in.

BRAND, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 575, respectfully report as follows: That House Bill No. 575 be amended on page 2, Section 1, lines 4 and 5, by striking "[fourteen thousand seven hundred seventy-nine dollars . . . \$14,779]" and inserting in lieu thereof "including interest at six per cent per annum from March 1, 1972 to March 31, 1973, fifteen thousand seven hundred thirty-nine dollars . . . \$15,739";

Further amend on page 2, Section 1, line 20, following the word and punctuation "Commission," by inserting "including interest at six per cent per annum from January 1, 1972 to March 31, 1973 on unpaid printing bills,";

Further amend on page 3, Section 1, line 2, by striking the word "[transferred]" and inserting in lieu thereof the word "appropriated";

Further amend on page 3, Section 1, lines 4 and 5, by striking "[twenty-two thousand dollars . . . \$22,000]" and inserting in lieu thereof "eleven thousand dollars . . . \$11,000".

And as amended, do pass.

(Material in brackets denotes cancelled type.)

BARDANOUE, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Pages terminated: Diana Eldridge, Marlene Fischer, Terry Lee, Lorna Fladager, Mary Brown, Lee Cook, Kiann Hensley, Colleen Moran.

New pages: Ann Fleming, Jannie Harper, Krys Holmes, Jay Pallister, Linda and Lori Dynneson, Jane Howe, Molly Mahan.

Bonnie Betson, typist, will be on the payroll as of February 20, 1973.

Mike Koehnke, Legislative Aid, on the payroll as of February 21, 1973.

EDLAND, Chairman

Report adopted.

# MESSAGES FROM THE OTHER HOUSE

February 21, 1973

Mr. Speaker:

I am directed by the senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to and the bills are herewith being returned to the House for concurrence in Senate amendments:

House Bill No. 89, introduced by Norman & Olson

House Bill No. 129, introduced by Cox, Fagg, et al

House Bill No. 272, introduced by Baucus, Watt, et al

House Bill No. 484, introduced by Hager

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by Committee report to be not concurred in, reports were adopted on roll call vote, and the bills are being returned herewith to the House:

House Bill No. 81, introduced by Zimmer, Lundgren, et al

House Bill No. 523, introduced by Brand &amp; Towe

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 6, introduced by Gerke &amp; Ainsworth (by request)

House Bill No. 59, introduced by Lockrem &amp; Quilici

House Bill No. 134, introduced by Greely, Tierney, et al

House Bill No. 180, introduced by Edland &amp; Fasbender

House Bill No. 182, introduced by Marbut

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Resolution No. 17, introduced by Marks, Castles, Campbell, Lee, Menahan, Lombardi, Bennetts, Bell, H. Harper, Healy, Quilici, Flynn, Schepens, Lynch, Baeth, Mehrens, Olson, Kvaalen, Prevost: A resolution of the House of Representatives of the State of Montana to endorse and respectfully honor the work of the foster grandparent program in the State of Montana. Referred to Committee on Public Health, Welfare and Safety.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 133 failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huenekens, Johnston, Kendall, Kimble, Kosena, Laas, Lundgren, Lynch, McKitt-  
rick, Manuel, Marbut, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Zimmer. Total 47.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Camp-

bell, Castles, Clemow, Cotton, East, Ellerd, Flynn, Forsgren, Galt, Hageman, Hager, Haines, Healy, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 52.

Excused: None.

Absent or not voting: Swanberg. Total 1.

Paired: Colberg, aye, Lockrem, nay; Schye, nay, Fasbender, aye; Burnett, nay, Holmes, aye.

House Bill No. 123 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Asbjornson, Barrett, Castles, Ellerd, Kessner, Rolfe, Selstad, Smith, Walborn. Total 9.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Galt, Huennekens, Kendall, Swanberg. Total 5.

House Bill No. 489 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Colberg, Hall, Swanberg. Total 3.

Excused: Burnett, Schye. Total 2.

House Bill No. 542 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman,



Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Clemow, East, Galt, Haines, Hubing, Marks, Olson, Rolfe, Smith, Turner, Walborn. Total 11.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Ellerd, Selstad, Swanberg. Total 4.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Roberts, Swanberg. Total 3.

House Joint Resolution No. 29 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Roberts, Rolfe, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 82.

Noes: Brand, Holmes, Huennekens, Johnston, Kimble, Manuel, Prevost, Regan, Schepens, Walborn. Total 10.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Fasbender, Hall, Shelden, Swanberg, Yardley. Total 6.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas,

Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Hager. Total 1.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Stephens, Swanberg. Total 3.

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Gunderson, R. Harper, Hodges. Total 3.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Holmes, Lien, Nichols, Seifert, Stephens, Swanberg. Total 7.

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Holtz, Kessner, Selstad, Ulmer. Total 4.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Stephens, Swanberg, Menahan. Total 4.

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Fleming, Glennen, Gunderson, Hall, R. Harper. Total 5.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Selstad, Swanberg. Total 3.

Senate Bill No. 222 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Bardanouve, Brand, Greely, McKittrick. Total 4.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Fagg, Halvorson, Kosena, Swanberg. Total 5.

Senate Bill No. 224 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Gunderson, Hageman, Hall, Olson. Total 4.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Swanberg. Total 2.

Senate Bill No. 234 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Bardanouve, Cotton, Greely. Total 3.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Lundgren, Swanberg, Ulmer. Total 4.



Senate Bill No. 270 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Edland, Fagg, Lien, Lundgren. Total 5.

Senate Bill No. 291 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Ainsworth, Cox, Hageman, Haines, McKittrick. Total 5.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Colberg, Edland, Glennen, Huennekens, Swanberg. Total 5.

Senate Bill No. 321 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Bardanouve, Hageman, Haines, Hall, H. Harper, Lien, McKitt-  
rick, Marbut, Selstad, Tierney. Total 10.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Kessner. Total 1.

Senate Bill No. 357 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox,



Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Ainsworth, Colberg. Total 2.

Senate Bill No. 372 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Healy, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Cox, East, Haines, H. Harper, R. Harper, Hodges, Holtz, Hubing, Glennen, Selstad. Total 10.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Fleming, Mehrens, Nichols. Total 4.

Senate Bill No. 384 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Kimble. Total 2.

Senate Bill No. 402 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas,

Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Ainsworth, Cox, Kvaalen, Prevost, Selstad, Smith. Total 6.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Huennekens, Zimmer. Total 3.

Senate Bill No. 417 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Haines. Total 1.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Kimble, Roberts. Total 3.

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bardanouve, Ellerd, Forsgren. Total 3.

Senate Bill No. 43 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Shelden, Staigmler, Stephens, Stoltz, Towe, Turman, Warfield, Mr. Speaker. Total 69.

Noes: Bardanouve, Bennetts, Brand, Campbell, Colberg, Driscoll, Haines, Hall, Holmes, Huennekens, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Regan, Seifert, Selstad, Smith, Swanberg, Tierney, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer. Total 29.

Excused: Burnett, Schye. Total 2.

Absent or not voting: None.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Haines, Hodges. Total 2.

Excused: Burnett, Schye. Total 2.

Absent or not voting: None.

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 93.

Noes: Hall, Lynch. Total 2.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Galt, Watt, Zimmer. Total 3.

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.



Excused: Burnett, Schye. Total 2.

Absent or not voting: Bennetts. Total 1.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Healy, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Haines, Jacobsen, Kvaalen, Lien, Watt. Total 5.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Bennetts, Kimble. Total 2.

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Holtz, Huennekens. Total 2.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: Haines. Total 1.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Fasbender. Total 1.



Fasbender moved that Senate Bill No. 174 be passed for the day.

Motion carried.

Senate Joint Resolution No. 26 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Burnett, Schye. Total 2.

Absent or not voting: Baucus, Edland, Galt, Kimble, Shelden, Yardley. Total 6.

### MOTIONS AND RESOLUTIONS

Rolfe, having voted on the prevailing side in failing to adopt House Bill No. 133, on Third Reading this day, moved that the House reconsider its action.

Ellerd moved the previous question.

Motion carried.

Rolfe requested a roll call vote with the ayes and nays spread on the Journal.

Sufficient seconds arose and the motion carried by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Zimmer. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Burnett, Campbell, Clemow, Cotton, East, Ellerd, Flynn, Forsgren, Galt, Hageman, Haines, Healy, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 44.

Excused: None.

Absent or not voting: None.

Paired: Schye—Nay, Fasbender—Aye; Burnett—Nay, Holmes—Aye.

Hall moved that a special committee of five be appointed to study House Bill No. 133, and this committee would report whether the bill should be acted upon during this or the next session.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Towe in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 193 be concurred in (68-1).

That Senate Bill No. 225 be concurred in (72-0).

That Senate Bill No. 269 be concurred in (71-11).

That Senate Bill No. 334 be concurred in (72-0).

That Senate Bill No. 424 be concurred in (78-3).

That Senate Joint Resolution No. 19 be concurred in (78-0).

That House Bill No. 448 be passed for the day.

That House Bill No. 462 be amended in Section 7, on page 6, line 5, after the word and punctuation "fund." by inserting the words "The fees collected from each aircraft shall be returned to the general fund of the county in which the aircraft is based or is predominantly located during the year according to the following schedule: 1.) During the fiscal year ending June 30, 1974—sixty percent (60%). 2.) During the fiscal year ending June 30, 1975—fifty percent (50%). 3.) During the fiscal year ending June 30, 1976—forty percent (40%). 4.) During the fiscal year ending June 30, 1977—thirty percent (30%). 5.) During the fiscal year ending June 30, 1978—twenty percent (20%). 6.) During the fiscal year ending June 30, 1979—ten percent (10%). 7.) During the fiscal year ending June 30, 1980 and after, no such funds shall be returned to the counties under this schedule.", and (68-6).

And as amended, do pass (54-38).

That House Bill No. 530 do pass (69-5).

That Senate Bill No. 53 be concurred in (73-1).

That Senate Bill No. 95 be concurred in (77-0).

That Senate Bill No. 113 be concurred in (77-0).

That Senate Bill No. 115 be concurred in (53-24).

That Senate Bill No. 116 be concurred in (81-0).

That Senate Bill No. 117 be concurred in (77-0).

That Senate Bill No. 118 be passed below Senate Bill No. 122.

That Senate Bill No. 119 be concurred in (74-0).

That Senate Bill No. 120 be passed below Senate Bill No. 118.

That Senate Bill No. 121 be concurred in (53-25).

That Senate Bill No. 122 be concurred in (67-3).

That all bills be moved below Senate Amendments to House Bill No. 100.

That Senate Amendments to House Bill No. 100 be not concurred in (81-0).

That the Committee rise and report.

TOWE, Chairman

Report adopted.

#### MOTIONS AND RESOLUTIONS

Hall moved that the Speaker appoint a Conference Committee to meet with a like committee of the Senate to confer upon Senate Amendments to House Bill No. 100.

Motion carried.

Hall moved that House Bill No. 133 be taken from Third Reading and be rereferred to the Select Committee to consider this bill.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 23, respectfully report as follows: That Senate Joint Resolution No. 23 be concurred in.

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 24, respectfully report as follows: That Senate Joint Resolution No. 24 be concurred in.

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 39, respectfully report as follows: That Senate Joint Resolution No. 39 be concurred in.

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 37, respectfully report as follows: That Senate Joint Resolution No. 37 be amended on page 1, line 13 of the Senate Third Reading and Introduced Bill, after the number "(300,000,000)" by inserting the following "in 1972";

And further amend page 1, line 14 of the Senate Third Reading and Introduced bill, by striking the word "[energy]" and inserting in lieu thereof the following words and punctuation "metallics, non-metallics and mineral fuels";

And further amend page 1, lines 15 and 16 of the Senate Third Reading and Introduced bill, by striking the following words and punctuation "[oil, natural gas, and coal]" and inserting in lieu thereof the following words "natural resources".

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 35, respectfully report as follows: That Senate Joint Resolution No. 35 be amended on page 2, line 6 of the Senate Third Reading and Introduced bill, by striking the word "[could]" and inserting in lieu thereof the word "would"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Joint Resolution No. 33, respectfully report as follows: That Senate Joint Resolution No. 33 be concurred in.

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Bill No. 426, respectfully report as follows: That Senate Bill No. 426 be amended on page 1, line 4, title, in the Senate Third Reading and Introduced bill by striking the word "[requiring]" and inserting in lieu thereof the word "allowing";

Be further amended on page 1, line 7, title, in the Senate Third Reading and Introduced bill by inserting after the word "lands" the following punctuation and words ", and providing for recovery of costs thereof";

Be further amended on page 1, line 12 in the Senate Third Reading and Introduced bill by striking the word "[shall]" and inserting in lieu thereof the word "may";

Be further amended on page 1, line 15 in the Senate Third Reading and Introduced bill by inserting after the word "lands" the following punctuation and words ", and may make an appropriate charge therefore";

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Natural Resources having had under consideration Senate Bill No. 404, respectfully report as follows: That Senate Bill No. 404 be amended on page 2, section 3, subsection 6, line 24 of the Senate Third Reading and Introduced bill, by inserting after the word "is" the following words "economically feasible to mine and is";

And as amended, be concurred in.

SHELDEN, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 273, respectfully report as follows: That Senate Bill No. 273 be concurred in.

GUNDERSON, Chairman

Report adopted.



February 22, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be amended on page 4, line 2 of the Senate Third Reading resolution this being page 3, line 23 of the Introduced resolution, after the word "agriculture" by deleting the punctuation "," and inserting in lieu thereof the punctuation ";", and

Further amend on page 4, line 3 of the Senate Third Reading resolution this being page 3, line 24 of the Introduced resolution, after the letters "D.C." by deleting the punctuation ";", and inserting in lieu thereof the punctuation ";", and

Further amend on page 4, line 5 of the Senate Third Reading resolution this being page 4, line 1, of the Introduced resolution, following the word "committee" by deleting the word "[and]" and inserting in lieu thereof the punctuation ";", and

Further amend on page 4, line 6, of the Senate Third Reading resolution this being page 4, line 2, of the Introduced resolution, by inserting the following new material, "; The Honorable Thomas L. Judge, Governor of the State of Montana; Secretary Rogers C. B. Morton, of the United States department of interior; Secretary George P. Schulz of the United States treasury; Comptroller General Elmer Staats of the United States general accounting officer; Director Roy Ash of the United States office of management and budget; the Honorable J. L. Whitten of the United States House of Representatives; and each county ASC committee"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 274, respectfully report as follows: That Senate Bill No. 274 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 290, respectfully report as follows: That Senate Bill No. 290 be amended on page 1, in the title, line 8 (being the same on the original bill) after the word "podiatry" by striking "[medical]", and

Further amend on page 3, section 1, subsection (6), line 4 (being the same on the original bill) by striking "[medical]", and

Further amend on page 3, section 1, subsection (6), line 8 (being the same on the original bill) by striking the word "[medical]", and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 349, respectfully report as follows: That Senate Bill No. 349 be amended on page 1, section 1, line 20 after the word "podiatry" (being the same in the original bill) by striking the word "[medical]",

And further amend on page 3, section 1, subsection (2), line 3 (being the same in the original bill) by striking the word "[medical]" at the beginning of the line, and

Further amend on page 3, section 1, subsection (2), line 15, at the beginning of the line (being the same in the original bill) by striking "[medical]", and

Further amend on page 3, section 1, subsection (2), line 24, at the beginning of the line, by striking "[medical]", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)  
LEE, Chairman

Report adopted.

February 22, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 437, respectfully report as follows: That Senate Bill No. 437 be amended on page 2, section 1, subsection (2), line 22, after the word and punctuation "applicable," by striking "[by posting, publishing and mailing sending by unregistered mail]" (on page 2, section 1, subsection (2), line 22 of the original bill, after the word and punctuation "applicable," by striking "[by posting, publishing and mailing]") and

Further amend on page 3, section 1, subsection (2), line 10, after the word "by" by striking "[unregistered]" and inserting in lieu thereof "first class" (This material not being in the original bill, and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)  
LEE, Chairman

Report adopted.

The Speaker appointed the following to the Select Committee on House Bill No. 133, Bardanouve, Chairman; Quilici, Vice-Chairman, Prevost, Marks, Turman.

Fasbender moved that the House adjourn until 1:30 p.m., February 23, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 23, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and pledge of allegiance to the flag.

On roll call all members were present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 46th Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

February 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 48, 74 and 80.

QUILICI, Chairman

February 23, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 10, 27, 29, 30, 65, 231, 282 and House Joint Resolution No. 12, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 22, 1973

I have examined House Bill No. 48 introduced by me and find the same to be correct.

GERKE

February 22, 1973

I have examined House Bill No. 74 introduced by me and find the same to be correct.

KENDALL

February 22, 1973

I have examined House Bill No. 80 introduced by me and find the same to be correct.

FAGG

The Speaker signed in open session, House Bills Nos. 48, 74 and 80.

February 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 242, respectfully report as follows: That Senate Bill No. 242 be concurred in.

HALL, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 16, respectfully report as follows: That Senate Joint Resolution No. 16 be concurred in.

HALL, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having

had under consideration Senate Bill No. 456, respectfully report as follows: That Senate Bill No. 456 be concurred in.

BARDANOUE, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 441, respectfully report as follows: That Senate Bill No. 441 be concurred in.

HALL, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 436, respectfully report as follows: That Senate Bill No. 436 be concurred in.

HALL, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 442, respectfully report as follows: That Senate Bill No. 442 be amended on page 3, section 1, subsection (f), lines 7, 8, 9, 10 and 11 in both the senate third reading bill and the introduced bill following the word and punctuation "quorum". by deleting the material "[Unless the articles or bylaws fix a larger number of stockholders as a quorum, a quorum shall never be more than fifty (50) or less than five (5) stock holders, or shall be a majority of the stockholders, whichever is smaller.]"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 532, respectfully report as follows: That House Bill No. 532 do pass.

WATT, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 513, respectfully report as follows: That House Bill No. 513 do pass.

WATT, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 182, respectfully report as follows: That Senate Bill No. 182 be amended on page 1, in the title of the Senate Third Reading bill, on line 6 by reinserting the word "[sections]" and

Further amend page 1, in the title of the Senate Third Reading bill on line 7 by deleting the word "[section]" and

Further amend the title of the Senate Third Reading bill, line 7 after the number 82-1010 by reinserting the word and number "and 83-1003," and



Further amend the title of the Senate Third Reading bill, line 8, after the word "conclusions" by deleting the words "[in cities or towns of five hundred (500) or less residents]" and

Further amend page 1, line 24, of the Senate Third Reading bill, after the word "officials" by deleting the following: "[and for cities and towns with more than five hundred (500) residents]" and

Further amend page 2, line 1, of the Senate Third Reading bill by reinserting the following: "of its general comments section"

Further amend on page 2, lines 3-7, of the Senate Third Reading bill by deleting all material contained in these lines, and

Further amend on page 2, of the Senate Third Reading bill by reinserting all material from line 13 to the end of the bill.

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

KOSENSA, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 276, respectfully report as follows: That Senate Bill No. 276 be concurred in.

KOSENSA, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Resolution No. 12, respectfully report as follows: That House Resolution No. 12 be adopted.

KOSENSA, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

February 21, 1973

Senate Bill No. 17

## JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 17 beg leave to report as follows:

That we met this day and considered House Committee of the Whole Amendments dated February 2, 1973, to Senate Bill No. 17 and recommend as follows:

That to conform with amendments to the body of Senate Bill No. 17, that the title be amended in line 10, following the word "expenses" by inserting the following capitalized words, figures, and punctuation "of thirty-three dollars (\$33) per day";

And further that the House recede from House Committee of the Whole Amendments dated February 2, 1973, to the Title of Senate Bill No. 17;

That the House recede from the House Committee of the Whole Amendments to Senate Bill No. 17, dated February 2, 1973, in Section 1, page 2, line 7, by striking the words and figures "thirty-six dollars (\$36)"

and inserting in lieu thereof the words and figures "thirty-three dollars (\$33)"

And further that the House recede from the House Committee of the Whole Amendments to Senate Bill No. 17, dated February 2, 1973, in Section 1, page 2, line 1, by striking the words and figures "nine cents (9¢)" and inserting in lieu thereof the words and figures "twelve cents (12¢)"

And further that the House recede from the House Committee of the Whole Amendments to Senate Bill No. 17, dated February 2, 1973, in Section 1, page 2, line 25, by striking the words and figures "nine cents (9¢)" and inserting in lieu thereof the words and figures "twelve cents (12¢)"

And further that the Senate accede to all other House Committee of the Whole Amendments to Senate Bill No. 17, dated February 2, 1973, and that Senate Bill No. 17 be concurred in.

FOR THE SENATE:

Bertsche  
Boylan  
Rosell

FOR THE HOUSE:

Hall  
Kosena  
Lucas

The Committee report was adopted by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Burnett, Castles, Clemow, Cotton, Cox, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mercer, Norman, Olson, Quilici, Regan, Schepens, Seifert, Shelden, Staigmillier, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Zimmer, Mr. Speaker. Total 64.

Noes: Ageson, Asbjornson, Bardanouve, Barrett, Bell, Bradley, Brand, Campbell, Driscoll, East, Flynn, Galt, Hager, Jones, Kolstad, Kvaalen, Laas, Lund, Manuel, Murphy, Nichols, Prevost, Rolfe, Schye, Selstad, Smith, Stephens, Stoltz, Walborn. Total 27.

Excused: None.

Absent or not voting: Bennetts, Brown, Colberg, Ellerd, Kessner, Lundgren, Marks, Roberts, Watt. Total 9.

#### MESSAGES FROM THE OTHER HOUSE

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 11, introduced by Shelden & Lucas (by request)

House Bill No. 70, introduced by Brand

House Bill No. 114, introduced by Cox, Glennen, et al

House Bill No. 172, introduced by Kimble & Huennekens

House Bill No. 175, introduced by Brand

House Bill No. 210, introduced by Lynch, Cotton, et al

House Bill No. 318, introduced by Hall & Bell  
House Bill No. 376, introduced by Hall & Lucas  
House Bill No. 377, introduced by Hall & Lucas  
House Bill No. 378, introduced by Hall & Lucas  
House Bill No. 379, introduced by Hall & Lucas  
House Bill No. 380, introduced by Hall & Lucas  
House Bill No. 381, introduced by Hall & Lucas  
House Bill No. 382, introduced by Hall & Lucas

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the bills are being returned herewith for concurrence in Senate amendments:

House Bill No. 209, introduced by Forsgren & Stoltz  
House Bill No. 229, introduced by Cotton, Lynch, et al  
House Bill No. 308, introduced by Cox, Bradley & Hall  
House Bill No. 431, introduced by Greely & McKittrick

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Resolution were this day recommended by the Committee Report to be not concurred in, reports were adopted by roll call vote, and the bills are herewith returned to the House:

House Bill No. 268, introduced by Murphy, Gerke, et al  
House Bill No. 347, introduced by Fasbender  
House Bill No. 552, introduced by Fagg  
House Joint Resolution No. 35, introduced by Shelden, Baeth, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 12. On motion and duly carried, Senator Lynch requested that a Conference Com-

mittee be appointed from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following:

Senator McDonald—Chairman  
 Senator Goodheart  
 Senator McNamer

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 5. Senator Lynch requested, on motion and duly carried, that a Conference Committee be appointed from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following:

Senator Gilfeather—Chairman  
 Senator Groff  
 Senator Harrison

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Senate and House Conference Committee Report on House Amendments to Senate Bill No. 17 was adopted on roll call vote this day.

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Shelden moved that the House request the Governor to return House Bill No. 65.

Motion carried.

Lockrem moved that House Bill No. 463 be placed on Third Reading this day.

Motion carried.

Brand, having voted on the prevailing side in concurring in Senate Bill No. 336, on Third Reading at the previous sitting, moved that the House reconsider its action.

Hall, having voted on the prevailing side, moved, as a substitute motion, that the House request the Senate to return Senate Bill No. 336 to the House.

Motion carried.

Fasbender moved that House Bill No. 448 be taken from Second Reading and be rereferred to Committee on Taxation.

Motion carried.



Hall moved that the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate on House Amendments to Senate Bills Nos. 5 and 12.

Motion carried.

### THIRD READING OF HOUSE BILLS

Lockrem moved that House Bill No. 463 be taken from Third Reading and placed at the top of the board on Second Reading.

Motion carried.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 440 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Haines. Total 1.

Excused: None.

Absent or not voting: Asbjornson, Bennetts, Colberg, East, Ellerd, Hubing. Total 6.

House Bill No. 559 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Ainsworth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield, Zimmer. Total 44.

Excused: None.

Absent or not voting: Asbjornson, Colberg, Norman. Total 3.

Paired: Bennetts—aye, Kvaalen—nay.

### THIRD READING OF SENATE BILLS

Senate Bill No. 53 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt,

Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Kvaalen. Total 1.

Excused: None.

Absent or not voting: Ainsworth, Baucus, Bennetts, Colberg, Hageman. Total 5.

Senate Bill No. 95 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Hodges, Kessner, Selstad, Smith. Total 4.

Excused: None.

Absent or not voting: Bennetts, Colberg, Lucas, Schye. Total 4.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Kvaalen, Lien, Prevost, Walborn. Total 4.

Excused: None.

Absent or not voting: Bennetts, Colberg. Total 2.

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Cotton, Cox, Driscoll, Fagg, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts,

Schepens, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Zimmer, Mr. Speaker. Total 62.

Noes: Aageson, Bell, Burnett, Campbell, Castles, Clemow, East, Edland, Ellerd, Flynn, Galt, Glennen, Holtz, Hubing, Jacobsen, Jones, Kolstad, Lien, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schye, Selstad, Smith, Ulmer, Walborn, Warfield. Total 34.

Excused: None.

Absent or not voting: Bennetts, Colberg, Fasbender, Shelden. Total 4.

Senate Bill No. 116 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett, Lien, Schye. Total 3.

Excused: None.

Absent or not voting: Baucus, Bennetts, Colberg, Quilici. Total 4.

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Castles, Colberg, Ellerd, Flynn, Nichols, Schye, Selstad, Smith. Total 9.

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts,



Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Colberg, Ulmer. Total 3.

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 64.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Edland, Ellerd, Flynn, Hall, Holtz, Jacobsen, Jones, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Walborn, Warfield. Total 34.

Excused: None.

Absent or not voting: Bennetts, Colberg. Total 2.

Senate Bill No. 122 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Asbjornson, Barrett, Bell, Burnett, East, Ellerd, Holtz, Hubing, Mercer, Olson, Rolfe, Selstad, Smith. Total 14.

Excused: None.

Absent or not voting: Bennetts, Colberg. Total 2.

Senate Bill No. 193 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.



Noes: None.

Excused: None.

Absent or not voting: Bennetts, Colberg, Fagg, Fasbender. Total 4.

Senate Bill No. 225 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Colberg. Total 2.

Senate Bill No. 269 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: Baeth, Brand, Fasbender, Hager, Hall, Marbut, Marks, Prevost, Smith, Stephens, Yardley. Total 11.

Excused: None.

Absent or not voting: Bennetts, Colberg, Cox. Total 3.

Senate Bill No. 334 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Turman, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Colberg, Swanberg. Total 3.

Senate Bill No. 424 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: Roberts. Total 1.

Excused: None.

Absent or not voting: Bennetts, Colberg. Total 2.

Senate Joint Resolution No. 19 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Burnett, Colberg, Schye. Total 4.

### THIRD READING OF HOUSE BILLS

House Bill No. 375 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: McKittrick, Ulmer. Total 2.

Excused: None.

Absent or not voting: Ainsworth, Bennetts, Colberg, Kvaalen, Walborn. Total 5.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Glennen in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 463 be amended in the title, page 1, line 12 of the Third Reading Bill by reinserting the word "repealing" and striking "[superseding certain provisions of]", and

Further amend the title on line 13, following "R.C.M. 1947" strike the period "[(.)]" and insert in lieu thereof the new material "; and providing an effective date.", and (65-20).

That House Bill No. 463 with the amendment being carried, be placed below Senate Bill No. 120.

That Senate Bill No. 120 be concurred in (77-4).

That House Bill No. 463 be further amended by striking all of the material following the enacting clause and inserting in lieu thereof the following:

"Section 1. The legislature reaffirms the tradition of the state of Montana to protect every human life whether unborn or aged, healthy or sick. In keeping with that tradition we reaffirm that an embryo and fetus has potential life and that the State of Montana has a compelling interest in protecting that potential life and that the only interest which may override the compelling interest of the state is the necessity of preserving the existing life of the prospective mother.

Section 2. Every person who provides, supplies, or administers to any pregnant woman, or procures any such woman to take any medicine, drug, or substance, or uses or employs any instrument or other means whatever, with intent thereby to procure the miscarriage of such woman, unless the same is necessary to preserve her life, is punishable by imprisonment in the state prison not less than two (2) years nor more than five (5) years.

Section 3. Every woman who solicits of any person any medicine, drug, or substance whatever, and takes the same, or who submits to any operation, or to the use of any means whatever, with intent thereby to procure a miscarriage, unless the same is necessary to preserve her life, is punishable by imprisonment in the state prison not less than two (2) years nor more than five (5) years.

Section 4. (1) No abortion may be performed in the state of Montana unless:

(a) Such abortion is performed in a hospital or clinic by a physician currently licensed by this state.

(b) The operation is performed before approximately the end of the first trimester; or, if after approximately the end of the first trimester, only according to procedures approved by the state board of health; but not after viability or approximately the end of the sixth month unless the same is necessary to preserve the mother's life.



Section 5. Nothing in this act shall require any hospital, clinic or any person to participate in such abortion, nor shall any hospital, clinic or person be held liable for such refusal, nor shall the same be subject to any disciplinary or recriminatory action for such refusal, nor may refusal by any person to participate in abortion be made a consideration in employment practices of any medical facility.

Section 6. The state board of health shall establish regulations and reporting procedures to implement the provisions of this act. The names of all persons submitting to an abortion shall remain confidential.

Section 7. Every person who performs an abortion or submits to an abortion in violation of any portion of this act, or fails to comply with the reporting provisions of Section 6, is punishable by imprisonment in the state prison not less than two (2) years nor more than five (5) years.

Section 8. It is the intent of the legislature to restrict abortion to the extent permissible under later decisions of the appropriate courts or paramount legislation. Should such decisions or paramount legislation permit further restrictions at any time hereafter, this act shall be deemed to include such further restrictions, the legislature not hereby delegating authority, but intending, rather, to preserve the restrictions in such sections to the greatest extent possible.

Section 9. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid application.

Section 10. Sections 94-401 and 94-402, R.C.M. 1947, are hereby repealed.

Section 11. This act is effective on its passage and approval." (51-41)

And further amend by adding a new section after Section 7 of the Second Reading amendments adopted February 23, 1973, to be numbered Section 8 and reading as follows:

"An "abortion" means any act or operation to terminate intentionally a pregnancy without live birth."

And renumbering the following sections accordingly. (84-2)

And as amended do pass (54-36).

That Senate Bill No. 147 be concurred in (71-6).

That Senate Bill No. 218 be amended in the title of the third reading copy, on page 1, line 8, after the word "purposes", by inserting the following material: "raising said license fees five dollars (\$5) and crediting said increase for administration of the unfair practices act by the Department of Business Regulation;" and

Be further amended on page 1, line 9, in the title, after the code "84-2407", by striking the word "[and]", and inserting in lieu thereof a comma ",", and

Be further amended on page 1, line 9, in the title, after the code "84-2410", by inserting the code "84-2412," and (73-1)

Be further amended on page 4, line 23, Section 3, after the word "be" by striking the following material: "[six dollars (\$6)]", and inserting in lieu thereof the following material: "eleven dollars (\$11)", and

Be further amended on page 5, line 1, Section 3, after the word "be" by striking the following material: "[fifty-one dollars (\$51)]", and insert-



ing in lieu thereof the material: "fifty-six dollars (\$56)", and

Be further amended on page 5, line 3, Section 3, after the word "be" by striking the material: "[one hundred and one dollars (\$101)]", and inserting in lieu thereof the material: "one hundred and six dollars (\$106)", and

Be further amended on page 5, line 5, Section 3, after the word "be" by striking the material: "[one hundred and fifty-one dollars (\$151)]", and inserting in lieu thereof the material: "one hundred and fifty-six dollars (\$156)", and

Be further amended on page 5, line 7, Section 3, after the word "be" by striking the material: "[two hundred and one dollars (\$201)]", and inserting in lieu thereof the material: "two hundred and six dollars (\$206)", and (71-1)

Be further amended on page 5, line 13, section 4, after the word "of" by striking the following material: "[thirty eight dollars and fifty cents (\$38.50)]", and inserting in lieu thereof the following material: "forty-three dollars and fifty cents (\$43.50)", and (75-0).

Be further amended on page 6, after section 5, on line 8, by adding a new section to read as follows: "Section 6. Section 84-2412, R.C.M. 1947, is amended to read as follows:

"84-2412. Employment of help—disposal of license money. The state board of equalization is hereby authorized to employ such clerical and field assistance as may be found necessary to carry out and to administer the provisions of this act. All money collected under the provisions of this act shall be paid into the state treasury, with five dollars (\$5) of the fee collected from each store license sold credited to an earmarked revenue fund for administration of the unfair practices act by the department of business regulation and the rest to the credit of the general fund.", and

Be further amended by renumbering the subsequent section to conform numerically and, (62-0)

As amended, be concurred in (71-1).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 221 be concurred in (62-3).

That Senate Bill No. 232 be concurred in (67-1).

That Senate Bill No. 118 be concurred in (66-0).

That Senate Bill No. 297 be concurred in (61-0).

That Senate Bill No. 307 be concurred in (61-10).

That Senate Bill No. 322 be concurred in (63-0).

That Senate Bill No. 323 be concurred in (64-3).

That Senate Bill No. 324 be concurred in (66-0).

That Senate Bill No. 325 be concurred in (67-4).

That Senate Bill No. 329 be concurred in (58-7).

That Senate Bill No. 389 be concurred in (65-9).

That Senate Bill No. 390 be concurred in (73-4).

That Senate Joint Resolution No. 30 be concurred in (66-0).

That Senate Joint Resolution No. 40 be concurred in (68-0).

That House Bill No. 574 do pass (72-2).

That House Bill No. 581 do pass (73-1).

That Senate Bill No. 57 be concurred in (88-4).

That Senate Bill No. 90 be concurred in (66-16).

That Senate Bill No. 92 be concurred in (82-0).

That Senate Bill No. 160 be concurred in (80-0).

That Senate Bill No. 186 be concurred in (77-0).

That Senate Bill No. 189 be concurred in (54-37).

That the Committee rise and report.

GLENNEN, Chairman

Report adopted.

Without objection, the House reverted to Order of Business No. 6.

### MOTIONS AND RESOLUTIONS

Kosena moved that Senate Bill No. 208 be taken from Committee on Local Government and be rereferred to Committee on Natural Resources.

Motion carried.

### REPORTS OF STANDING COMMITTEES

January 27, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 be amended on page 5, section 7, beginning on line 22, by striking the entire section 7 and inserting in lieu thereof the following new section 7 "Section 7. (1) The holder of a retail liquor license is authorized to purchase wine from persons holding valid wine distributor's licenses without purchasing a retail wine license for the purposes of resale on the premises stated in the retail liquor license.

(2) The holder of a retail beer license, for consumption either on or off premises, is authorized to purchase wine from persons holding valid wine distributor's licenses for the purposes of resale after purchasing a retail wine license under the provisions of this act.", and

Be further amended on page 7, section 9, subsection 1, line 8, after the word "winery" by inserting the words "or its representative if a foreign winery", and

Be further amended on page 9, section 12, subsection 1, line 25, by striking subsection 1 in its entirety and inserting in lieu thereof the following new subsection 1 "(1) (a) There is imposed an excise tax of thirty-four per cent (34%) of the value of all wine imported into this state for the purpose of resale, and upon all wines sold, transported, stored, delivered, received or produced to use within the state under this act. The value of the wine is computed by multiplying the invoice price of the wine by one point eight one (1.81). The excise tax shall be remitted to the state department of revenue by the winery or its representative at the time the invoice is prepared.

(b) The department of revenue shall deposit twelve per cent (12%) of the revenue collected in a separate account and shall apportion the funds in this account to the treasurers of the counties according to the amount of liquor sold by state liquor stores to purchasers in each county. The department shall pay quarterly to each county treasurer the portion of the revenue due each county.

(c) The county treasurer of each county shall apportion the revenue among the county and the incorporated cities and towns within the county in the manner set forth in section 4-240.

(d) The remaining eighty-eight per cent (88%) of the revenue collected from the excise tax shall be retained in a separate account by the department and shall be deposited with the state treasurer, to the credit of the general fund, no later than the tenth (10th) day of each month", and

Be further amended on page 10, section 12, subsection 2, line 5, by striking subsection 2 in its entirety and renumbering subsequent sections, and

Be further amended on page 10, section 12, subsection 4, line 16, by striking subsection 4 in its entirety and renumbering subsequent sections, and

Be further amended on page 17, section 23, line 19, after the word and punctuation "state." by inserting the words "Wine sold by retail licensees for consumption off the premises must be displayed in and distributed from one designated area in the store. This area shall be under the direct supervision of the retailer or his agent at all times.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be concurred in.

MEHRENS, Chairman

Report adopted.

February 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 530.

QUILICI, Chairman

February 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 519, 506, 575, 578.

QUILICI, Chairman

February 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 113, 103, 116, 134, 180.

QUILICI, Chairman

February 23, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 48, 74 and 80, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 180 introduced by me and find the same to be correct.

EDLAND

I have examined House Bill No. 113 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 103 introduced by me and find the same to be correct.

SWANBERG

I have examined House Bill No. 116 introduced by me and find the same to be correct.

LOCKREM

I have examined House Bill No. 134 introduced by me and find the same to be correct.

GREELY

# MESSAGES FROM THE GOVERNOR

House Bill No. 65 returned.

## MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 65 be rereferred to Committee on Natural Resources.

Motion carried.

Fasbender moved that the Rules be suspended and place House Bill No. 463 on Third Reading this day.

Motion carried.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Fasbender moved that Senate Bill No. 174 be amended in Section 1, Third Reading Senate Bill on line 17 following the word "annually" by inserting the following language: "which shall be deposited in the general fund."

The amendment passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: None.

Absent or not voting: Bennetts, Castles, Colberg, Ellerd, Kendall, Kessner, Kimble, Lien, Roberts, Schepens, Schye, Shelden, Walborn, Zimmer. Total 14.

Senate Bill No. 174 was concurred in as amended by the following vote:



Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: Seifert, Ulmer. Total 2.

Excused: None.

Absent or not voting: Bennetts, Castles, Colberg, Shelden, Zimmer. Total 5.

### THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 463 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Clemow, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Forsgren, Glennen, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holmes, Hubing, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lynch, McKittrick, Manuel, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Quilici, Regan, Rolfe, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield. Total 56.

Noes: Ainsworth, Bardanoue, Baucus, Bradley, Brand, Brown, Colberg, Cox, East, Fagg, Flynn, Galt, Greely, Gunderson, Hageman, Halvorson, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Lombardi, Lucas, Lundgren, Marbut, Mehrens, Norman, Prevost, Roberts, Schepens, Seifert, Selstad, Shelden, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 40.

Excused: None.

Absent or not voting: Bennetts, Castles, H. Harper, Zimmer. Total 4.

The Speaker appointed the following Conference Committees to meet with like Committees from the Senate.

House Amendments to Senate Bill No. 5: Yardley, Chairman  
Greely  
Bell

House Amendments to Senate Bill No. 12: Norman, Chairman  
Menahan  
Warfield

Senate Amendments to House Bill No. 100: Lynch, Chairman  
Laas  
Olson

Fasbender moved that the House adjourn until 9:30 a.m., February 24, 1973.

Motion carried.  
House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 24, 1973

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Fagg, Bennetts, Cox, Hageman, Quilici, and Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-Seventh Legislative Day, find the same to be correct.

FLEMING, Vice-Chairman

REPORTS OF STANDING COMMITTEES

February 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 513 and 532, and House Resolution No. 12.

FLEMING, Vice-Chairman

February 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 574 and 581.

FLEMING, Vice-Chairman

February 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 127 and 462.

FLEMING, Vice-Chairman

MESSAGES FROM THE SENATE

February 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 18, introduced by Shelden and Lucas

House Bill No. 107, introduced by Lynch, Hall and Mehrens

House Bill No. 174, introduced by Smith and Walborn (by request)

House Bill No. 362, introduced by Marks and Zimmer

House Bill No. 416, introduced by Murphy

House Bill No. 491, introduced by Roberts and R. Harper  
Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to Senate Bills Nos. 9 and 32 and Senate Joint Resolution No. 22.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 130, introduced by Zimmer and Marks

House Bill No. 148, introduced by Hager (by request)

House Bill No. 150, introduced by Staigmiller (by request), Lien, et al

House Bill No. 215, introduced by Kolstad, Aageson, et al

House Bill No. 269, introduced by Bell and Gunderson

House Bill No. 325, introduced by Lien, Gunderson, et al

House Joint Resolution No. 27, introduced by Stoltz, Gunderson, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for nonconcurrence by Committee Reports, reports adopted on roll call vote, and the bills are herewith returned to the House.

House Bill No. 185, introduced by Gunderson

House Bill No. 479, introduced by Hager

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 216 was this day recommended by the Committee of the Whole

to be indefinitely postponed, report adopted, the bill is herewith returned to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

# FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Bill No. 586, introduced by Bardanouve, Kosena: A bill for an act entitled: "An act to amend Section 28-109, R.C.M. 1947, providing for an increase in fire protection and suppression fees paid by owners of classified forest land from not more than ten cents (10¢) per acre to not more than twenty-five cents (25¢) per acre for Class I lands and from not more than three cents (3¢) per acre to not more than ten cents (10¢) per acre for Class II lands." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 209 be concurred in (67-0).

That Senate Amendments to House Bill No. 229 be moved below Senate Amendments to House Bill No. 484.

That Senate Amendments to House Bill No. 308 be concurred in (66-0).

That Senate Amendments to House Bill No. 431 be not concurred in (61-13).

That Senate Amendments to House Bill No. 89 be concurred in (77-0).

That Senate Amendments to House Bill No. 129 be passed for the day.

That Senate Amendments to House Bill No. 272 be concurred in (74-0).

That Senate Amendments to House Bill No. 484 be not concurred in (63-16).

That Senate Amendments to House Bill No. 229 be passed for the day.

That Senate Bill No. 200 be concurred in (76-0).

That Senate Bill No. 258 be concurred in (77-4).

That Senate Bill No. 259 be concurred in (75-0).

That Senate Joint Resolution No. 10 be passed to the bottom of the board.

That the Committee rise and report and beg leave to sit again.

KIMBLE, Chairman

Report adopted.



## THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 530 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bradley, Brand, Burnett, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Bell, Campbell, Castles, Clemow, Galt, Jones, Lucas, Lundgren, Mercer, Seifert, Selstad, Ulmer, Walborn. Total 13.

Excused: Cox, Fagg, Hageman, Quilici, Zimmer. Total 5.

Absent or not voting: Aageson, Bennetts, Brown, Cotton, Ellerd, Gunderson, Norman, Swanberg, Yardley. Total 9.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Roberts. Total 1.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Asbjornson, Castles, Cotton, Ellerd, Gunderson, Swanberg, Yardley. Total 8.

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Hager, Holmes, Kendall, Regan, Roberts, Stoltz. Total 6.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Ellerd, Gunderson, Halvorson, Swanberg, Yardley. Total 8.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoitz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Ellerd, Gunderson, Hager, Lombardi, Swanberg, Yardley. Total 9.

Senate Bill No. 118 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes Burnett. Total 1.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Ellerd, Galt, Gunderson, Swanberg, Yardley. Total 8.

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Bradley, Brand, Campbell, Clemow, Colberg, Driscoll, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: Burnett, East, Galt, Mercer, Rolfe, Schye, Selstad, Smith. Total 8.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Edland, Ellerd, Gunderson, Swanberg, Yardley. Total 8.

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasnabender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stoltz, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Brand, R. Harper, Huennekens, Johnston, Lien, Lynch, Manuel, Menahan, Norman, Staigmillar, Stephens, Walborn. Total 12.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Ellerd, Gunderson, Shelden, Swanberg, Tierney, Yardley. Total 9.

Senate Bill No. 160 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fasnabender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 87.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Castles, Cotton, Ellerd, Gunderson, Swanberg, Yardley. Total 7.

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasnabender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Mr. Speaker. Total 82.

Noes: Burnett, Watt. Total 2.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Aageson, Cotton, Ellerd, Gunderson, Holmes, Kendall, Schye, Swanberg, Ulmer, Yardley. Total 10.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Fasnabender, Fleming, Flynn, Forsgren, Glennen, Greely,



Gunderson, Hall, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Towe, Watt, Mr. Speaker. Total 47.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Galt, Hager, Haines, Halvorson, H. Harper, Holtz, Hubing, Huennekens, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Norman, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 42.

Paired: Hall, aye; Cox, no.

Excused: Bennetts, Fagg, Hageman, Quilici, Zimmer. Total 5.

Absent or not voting: Aageson, Cotton, Ellerd, Kendall, Swanberg, Yardley. Total 6.

Senate Bill No. 218 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 84.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Cotton, Ellerd, Hall, Holmes, Kendall, Kolstad, Nichols, Smith, Swanberg, Yardley. Total 10.

Senate Bill No. 221 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Kolstad, Halvorson, H. Harper, Healy, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Schepens, Schye, Seifert, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 74.

Noes: Gunderson, R. Harper, Hodges, Holmes, Holtz, Prevost, Rolfe, Selstad, Smith, Staigmiller. Total 10.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Colberg, Cotton, Driscoll, Ellerd, Kendall, Manuel, Shelden, Swanberg, Yardley, Kimble. Total 10.

Senate Bill No. 232 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz,



Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 84.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Campbell, Cotton, Ellerd, Gunderson, Haines, Kendall, Laas, Swanberg, Yardley. Total 10.

Senate Bill No. 297 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Burnett, Rolfe. Total 2.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Cotton, Ellerd, Haines, Kendall, Swanberg, Yardley. Total 7.

Senate Bill No. 307 was concurred in by the following vote:

Ayes: Aageson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosenä, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 71.

Noes: Asbjornson, Brand, Burnett, Castles, Clemow, East, Healy, Hubing, Kolstad, Lee, Lombardi, Lynch, Murphy, Smith, Walborn. Total 15.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Cotton, Ellerd, Haines, Kendall, Swanberg, Yardley. Total 8.

Senate Bill No. 322 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens,

Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 82.

Noes: Bell, Burnett, Selstad, Walborn. Total 4.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Cotton, Ellerd, Haines, Kendall, Marks, Swanberg, Yardley. Total 8.

Senate Bill No. 323 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 81.

Noes: Driscoll, Hager, Marbut, Tierney. Total 4.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Cotton, Ellerd, Haines, Holmes, Kendall, Smith, Swanberg, Yardley. Total 9.

Senate Bill No. 324 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Burnett, Cotton, Ellerd, Forsgren, Haines, Kendall, Marks, Nichols, Swanberg. Total 10.

Senate Bill No. 325 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Norman. Total 1.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Ellerd, Forsgren, Haines, Holmes, Kendall, Lucas, Marks, Swanberg. Total 9.

Senate Bill No. 329 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lucas, Lund, Lundgren, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 72.

Noes: Brand, Forsgren, Galt, Healy, Holmes, Holtz, Lee, Lockrem, Lombardi, Lynch, McKittrick, Mehrens, Regan, Tierney. Total 14.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Colberg, Ellerd, Haines, Kendall, Marks, Swanberg, Yardley. Total 8.

Senate Bill No. 389 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 81.

Noes: Bell, East, Hager, Hubing, Jones, Watt. Total 6.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Ellerd, Haines, Kendall, Marks, Swanberg, Yardley. Total 7.

Senate Bill No. 390 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 83.

Noes: McKittrick, Tierney. Total 2.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Driscoll, Edland, Ellerd, Haines, Kendall, Marks, Swanberg, Yardley. Total 9.

Senate Joint Resolution No. 30 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Dris-



coll, East, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Burnett, Edland, Ellerd, Flynn, Galt, Haines, Kendall, Kessner, Kolstad, Marks, Olson, Schye, Smith, Swanberg, Yardley. Total 16.

Senate Joint Resolution No. 40 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 82.

Noes: None.

Excused: Bennetts, Cox, Fagg, Hageman, Quilici, Zimmer. Total 6.

Absent or not voting: Ainsworth, Edland, Ellerd, Galt, Haines, Kendall, Marks, Olson, Schye, Smith, Swanberg, Yardley. Total 12.

The Speaker signed in open session Senate Bills Nos. 287, 184, 236, 285, 71, 204, 286, 146 and Senate Joint Resolutions Nos. 17 and 12.

## REPORTS OF STANDING COMMITTEES

February 24, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be amended on page 3, starting with line 12, through and including line 17, in Section 1, by striking all the material contained therein in its entirety, and

Be further amended on page 3, line 19, Section 1, after the word "requirements" by striking the word "[of]" and inserting in lieu thereof the words "separately for all elementary school districts and", and

Be further amended on page 3, line 20, Section 1, after the word "joint" by striking the words "[high school]", and

Be further amended on page 3, line 21, Section 1, after the word "report" by inserting the word "each", and

Be further amended on page 3, line 23, Section 1, after the word "the" by striking the following material: "[county levy requirement for]", and inserting in lieu thereof the following material: "respective county levy requirements for elementary districts and", and

Be further amended on page 4, line 2, Section 1, after the word "joint" by inserting the following words: "elementary district or a joint", and



Be further amended on page 4, line 5, Section 1, after the words "as the" by striking the words: "[high school]", and inserting in lieu thereof the word "district", and

Be further amended on page 4, line 5, Section 1, after the word "joint" by striking the words "[high school]", and

As amended, be concurred in.

GUNDERSON, Chairman

(Material in brackets denote cancelled type.)

Report adopted.

February 24, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 192, respectfully report as follows: That Senate Bill No. 192 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 24, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 260, respectfully report as follows: That Senate Bill No. 260 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 24, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 353, respectfully report as follows: That Senate Bill No. 353 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 24, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 359, respectfully report as follows: That Senate Bill No. 359 be concurred in.

GUNDERSON, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Fasbender moved that conference committees be appointed to meet with like committees from the Senate in order to confer upon Senate Amendments to House Bills Nos. 431 and 484.

Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker Pro Tem: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Joint Resolution No. 21 be concurred in (56-0).

That Senate Joint Resolution No. 25 be concurred in (50-5).

That Senate Bill No. 273 be concurred in (39-20).

That Senate Bill No. 274 be concurred in (52-9).

That Senate Bill No. 426 be concurred in (61-0).

That the Committee rise and report.

KIMBLE, Chairman

Report adopted.

# MOTIONS AND RESOLUTIONS

Fasbender moved that the House be adjourned until 1:30 p.m., February 26, 1973.

Motion carried.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## JOINT SENATE AND HOUSE MEMORIAL SERVICES

Helena, Montana

February 25, 1973

Senator Thiessen, President Pro Tem of the Montana Senate called the Joint Session of the House and Senate to order at 3:00 p.m., Sunday, February 25, 1973.

Senator Lynch moved that the Joint Session be on Order of Business No. 11 for the purpose of a Joint Memorial Service honoring past Representatives and Senators.

## SPECIAL ORDERS OF THE DAY

Walter Marshall, Secretary of the Senate, welcomed the Senators, Representatives, and guests to the first Joint Memorial Service. All resolutions are to be spread on the Journals of the House and Senate.

The audience all joined in the Processional singing "How Great Thou Art", led by Walter Marshall.

Opening prayer by Father Sullivan, Chaplain of the Senate.

Vera Gerke sang "Prayer Perfect", accompanied by Jack Rehberg, who also played prelude music.

Meditation by Father Sullivan and Reverend Harper.

The Starlighters from Helena Senior High School sang "Prayer to Jesus".

Father Sullivan presented the Senate Memorials.

Resolutions for the following are in Senate Journal:

Charles W. Brown

F. A. Chadwick

John W. Corwin

Reynold Dahl

Ole Fallon

E. E. Fenton

Ray A. Grant

F. F. Haynes

T. H. Markle

G. M. Moss

R. S. Nutt

Harry A. Tibbals

George W. Wilson

Julius J. Wurthner

Motions were made by members of the Senate Necrology Committee that the foregoing resolutions be spread upon the Journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motions carried.

The Starlighters sang "How Excellent is Thy Name".

Reverend Harper, Chaplain of the House of Representatives, presented the House Memorials:

#### A JOINT LEGISLATIVE MEMORIAL

#### ON THE DEATH OF THE LATE

#### JOHN (JACK) ARNOLD

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of John Arnold, on January 10, 1972 in Denver, Colorado.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Arnold be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

John (Jack) Arnold was born October 1885 in Virginia. He came to the Quarter Circle U Ranch near Birney in 1908 where he remained and became the stockman. He married Grace Brewster in 1916, she preceded him in death in 1944. He married Adeline Todd in 1949.

The late Arnold served the Montana House of Representatives as a Democrat from Rosebud County in the 1929 and 1931 sessions.

Representative Arnold was one of the three principal investigators of the merger of Production Credit Association and the Federal Intermediate Credit banks. He helped set up the district Advisory Committees for the Production Credit Association. He was one of the original directors of the Montana PCA and was on the board for 29 years. He was early director of the Tongue River Water Users Association, second vice-president of the American National Cattlemen's Association, and president of the Montana Stockgrowers Association.

He was a member of the Episcopalian Church and was a Mason.

Representative Arnold is survived by his wife, Adeline of Denver and a sister in Virginia.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John (Jack) Arnold and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Arnold's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

## PAUL E. BRENNER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Paul E. Brenner, on December 1, 1970, in Helena.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Brenner be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Paul E. Brenner was born in Culver, Kansas and came to Montana in 1916. He lived in the Milligan Canyon area where he had his own farm and later sold it and bought the Flaherty ranch on the North Boulder River where he lived until his death. He married Edith Foran in 1949.

Mr. Brenner represented Jefferson County for three sessions in the House of Representatives commencing with the 1961, 1963, and 1965 sessions.

The late Brenner served on the Agriculture Adjustment Act Board from its beginning until he resigned to run for legislature. He served on the Jefferson County Draft Board during World War II and on the Farmers Home Administration Board. He was a school trustee in the Eureka District and later in the Cardwell District.

Representative Brenner is survived by his wife, Edith; and three step-children. Mr. and Mrs. Walter Steingruber, Willow Creek; Mrs. Jeanine Jones, Casper, Wyoming; and Mr. and Mrs. Lawrence Foran, Cardwell. four brothers and eight grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Paul E. Brenner and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Brenner's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

## RALPH C. BRICKER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Ralph C. Bricker, on September 29, 1971 in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Bricker be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ralph C. Bricker was born October 10, 1888 in Wabash, Indiana. He married Stella Norgard November 2, 1915 in Glasgow, Montana. His career included banking, real estate, insurance, reclamation and politics.

Bricker came to Great Falls in 1930 and served as secretary of the local Chamber of Commerce and helped organize the Montana Reclamation



Association. He was instrumental in the development of the Ashelot Division of the Greenfields Irrigation District. He received the Upper Missouri Water Users Associations distinguished service award in 1966. He was very active in civic affairs and served on many boards.

Representative Bricker entered politics first in Judith Basin and was elected to the Montana House of Representatives for four terms beginning in 1923. He served as Speaker in 1925 and 1929 and as majority floor leader for the Republicans in 1927. Cascade County sent him to the House again for five terms beginning in 1943. He was majority floor leader for the GOP's in 1945 and minority floor leader in 1949.

He was a member of the City-County Flood Control Commission, a member of Great Falls Lodge 118, AF&AM, Scottish Rite and Algeria Shrine of Helena, and a member of Our Saviors Lutheran Church.

Representative Bricker is survived by his wife, Stella; two daughters, Mrs. Walter (Marjorie) Blossom of Fairfield and Mrs. Russell (Marion) Lohnbakken of Billings, six grandchildren, and four great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Ralph C. Bricker and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Bricker's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

EDWARD J. BYRNE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Edward J. Byrne, on August 28, 1972 in Shelby, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Byrne be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Edward J. Byrne was born in Newcastle, Nebraska on March 22, 1886. He spent his early years in Nebraska and studied law at the University of Nebraska. He later received his L.L.B. degree from the Blackstone Institute of Law in Chicago, Illinois.

He homesteaded the Sweet Grass Hills Area in 1910. He married Nona E. Barrett of Cresco, Iowa in 1914. She preceded him in death in 1954. He farmed and ranched in the north central Toole County area until the fall of 1954.

He was one of Toole County's Democratic political leaders. He was elected to the House of Representatives in 1932 and continued to serve in that capacity with exception of one term until 1944. He was Majority Floor Leader for two sessions and Minority Floor Leader for one session.

Representative Byrne was appointed to the Board of Toole County Commissioners in 1922 and served as a member of that board until 1932.

He was appointed by Governor J. Hugo Aronson to the State Board of Equalization in 1955 and served in that capacity for eight years.

He married Geraldine Joyce in 1959. She died the following year. He returned to Shelby for retirement in the spring of 1963 and remained in Shelby until his death.

He was a life long member of the Catholic Church, a paid up member of the Knights of Columbus, and very active in civic and charitable affairs.

The late Byrne is survived by one daughter, Mrs. Russell (Rita) Johansen of Sunburst; two sons, Edward Jr. of Shelby, and Paul of Dutton; five grandchildren; one brother and one sister and many nieces and nephews.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Edward J. Byrne and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Byrne's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### JOHN COLLINS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the State of Montana record the passing of John Collins, on August 14, 1971, in Dillon, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Collins be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

John Collins was born in Wisconsin, September 14, 1876. He was a 1908 graduate of the law school of the University of Wisconsin and came to Montana where he was admitted to the Bar before the Montana Supreme Court. He married Harriet E. Russell in 1912 in Harlem; she preceded him in death in 1955.

He practiced first in Harlem, where he was associated with the late R. V. Bottomly. While at Harlem he was elected as the first Representative from Blaine County to the Montana Legislature for the Thirteenth Session.

Judge Collins came to Dillon in 1915, where he was first in the firm of Norris, Hurd and Collins. He was Assistant U. S. District Attorney for Montana in 1929 and 1930.

He was appointed Judge of the Fifth Judicial District of the State of Montana in 1952. He received his fifty-year pin from the Montana Bar Association in 1958.

Judge Collins and Richard Burns were associated in the practice of law from 1948 until his retirement.

He was a member of St. Rose Catholic Church and a member of the Bull Moose.

Representative Collins is survived by his daughter, Mrs. Karl Herman Schwabb; a grandson, Karl John Schwabb; a great-grandson, Eric John Schwabb, all of the Hawaiian Islands, and numerous nieces and nephews.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John Collins and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Collins' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### RALPH F. COOK

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Ralph F. Cook, on July 2, 1971 near Jasper in the Canadian Rockies.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Cook be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ralph F. Cook was born July 10, 1898 in Shawano, Wisconsin. The family moved to northeast Kansas where he spent his childhood. In 1916 he came to Montana and went to work on a farm in the Carter area. He married Margaret T. Mitchell, February 9, 1917 in Havre. The couple moved to Great Falls and he worked for the Anaconda Company for ten years. In 1928, they began ranching in the Eden area where they remained until they acquired a ranch northeast of Belt in 1937. Cook retired from active ranching in 1951 and moved to Great Falls. He continued to own the ranch.

Representative Cook served as secretary-treasurer of the Montana Farmers Union from 1952 until 1966 when he retired. Before he assumed that position, he served three terms as head of the Cascade County Farmers Union and one year as a fieldman.

While a Montana Farmers Union officer, he was instrumental in acquiring Arrow Park Farmers Union Camp in the Highwood Mountains. Following his retirement, he originated and directed the MFU Commodity and Livestock Fund, called the CALF Project, which raised funds for the organization. He was still director at the time of his death.

Active in Democratic politics, Cook served two sessions in the Montana House of Representatives, in 1947 and in 1951. He was a director of the Montana Citizens Freight Rate Association and a member of a Montana Citizens Legislative Study Committee.

Cook was a member of the Association for the United Nations and vice president of the Montana Old Age Pension Association. He once told a reporter, "If we can leave the world just a little bit better for our having been here, I feel that is about all we can expect."

Representative Cook is survived by three daughters, Mrs. James (Evelyn) Erickson, Tracy, Montana; Mrs. Bob (Katherine) Thompson of Seattle and Mrs. Kenneth (Lucille) Avery of Bremerton, Washington; two sons,



Donald of Alder Flats, Alta, Canada and Marvin of Porterville, California; 20 grandchildren; 21 great-grandchildren and two sisters.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Ralph F. Cook and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Cook's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### MERVIN J. DEMPSEY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the State of Montana record the passing of the former Representative Mervin J. Dempsey, on October 12, 1971, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Mervin J. Dempsey be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Mervin J. Dempsey was born July 29, 1903, in Butte, Montana. His parents owned the famous Hazel House, earliest miners boarding house in Butte. He attended Boys Central High School, where he was an outstanding football player. He also played football at Mount St. Charles, now Carroll College, where he graduated with degrees in pre-medicine and philosophy.

He married Catherine (Kitty) Keane fifty years ago in Ronan, Montana. He was proprietor, with his wife, of Kitty's Copper Shop in Butte. Mr. Dempsey was one of the original members of the famous Elks quartet of the 30 & 30's.

He served three terms in the House of Representatives from Silver Bow County beginning in 1953. He was interested in legislation for the equality of all men.

Representative Dempsey was Chief Deputy Treasurer of Silver Bow County and then County Treasurer of Silver Bow County.

A member of the Butte Country Club, he was known throughout the state as a fine golfer and was instrumental in encouraging many young golfers to become interested in the game. He was also a member of the Elks, and Butte Chamber of Commerce.

Survivors include his wife, Catherine; daughters, Mrs. Margaret Cohan and Mrs. George Tarrant; four grandchildren, all of Butte.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Mervin J. Dempsey and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by



the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Dempsey's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

JOHN F. FERRY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative John F. Ferry on January 25, 1972 in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Ferry be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative John F. Ferry was born May 26, 1899 in Butte, Montana. He attended local schools including the Butte Business College and was a lifetime resident of Butte.

Representative Ferry married Edna Mackey, September 25, 1923 in Butte, Montana. He worked as a salesman for the Butte Tombstone Co. for 43 years.

The late Representative Ferry served Montana as a Representative from Silver Bow County in 1933 and the special session of 1934. He was also Silver Bow Democratic Precinct Committeeman of Precinct 20.

He was a member of the Catholic Church and the Elks Lodge.

Representative Ferry is survived by his wife, Edna; one son, Jack, of Los Altos, Calif.; three daughters, Mrs. Paul Whaley, Seattle; Mrs. John J. Pape, Tacoma; and Mrs. Keith McDuffie, Missoula; and 20 grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John F. Ferry and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Ferry's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

JACK E. FITZGARRALD

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Jack E. Fitzgarrald who passed away May 31, 1971 in Hamilton.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Fitzgarrald be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Jack E. Fitzgarrald was born September 23, 1915 in Stevensville, Montana, the son of former Mark D. Fitzgarrald who was also a Representative

from Ravalli County. He attended the local schools and attended the University of Montana. He married Eleanor Gray in Stevensville, May 8, 1937. He ranched and farmed in the Stevensville area until his death.

Mr. Fitzgarrald was Mayor of Stevensville for three terms. He was serving his first term in the House of Representatives from Ravalli County and was on the Agriculture and Irrigation Committee and the Public Welfare and Safety Committee. He was named Citizen of the Year in 1970 by the local Civic Club.

Representative Fitzgarrald served on the Stevensville School Board, was a Past Patron of the Order of Eastern Star, was a member of the Methodist Church and Masons.

He is survived by his wife, Eleanor; and two daughters, Julie Lynn Browning, Stevensville; and Sallie Jacque Dees, Missoula, and his mother, Mrs. Frank Prince, Stevensville.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Jack E. Fitzgarrald and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Fitzgarrald's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### JACK J. HAYTIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Jack J. Haytin, on February 6, 1972 in Helena.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Haytin be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Jack Haytin was born in Crystal City, Missouri on March 31, 1890 to John B. and Melanie Kauffman Haytin. He married Sophie Lehmann in Helena, August 28, 1918. She preceded him in death on March 15, 1960.

He served as Mayor of Helena for six years during WW II and represented Lewis and Clark County for the thirty-first legislative session in the House of Representatives.

He was a locomotive fireman and engineer on the Northern Pacific Railroad for 23 years. He owned and operated Haytin's Beauty Parlor for 32 years, being a charter member of Montana Hairdresser's Association since 1925. He organized the first Montana Examining Board of Beauty Culturists.

Mr. A. T. Hibbard and he co-chairmanned a committee that sold 49 million dollars of bonds for the replacement of the U. S. S. Helena and was honored by the Navy.

He served as vice president of the Montana Children Home and Shodair Crippled Children's Hospital for many years, was a member of King

Solomon No. 9 Helena, Scottish Rite Bodies of Helena for over fifty years, Algeria Shrine Temple since 1916, Helena Elks Lodge and Fraternal Order of Eagles.

Mr. Haytin is survived by his brother, Joe Haytin of Missoula, and his niece, Dollie Blake of Helena.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Jack J. Haytin and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Haytin's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### DAVID M. HIGGINS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative David M. Higgins, on April 27, 1970.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Higgins be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

David M. Higgins was born May 18, 1901 on the Blackfeet Indian Reservation near Browning. He married Alice Bird August 18, 1924 in Browning, Montana.

The former Higgins served Glacier County as a Representative in the Montana Legislature for two terms during the 1951 and 1953 sessions.

He was a former Chairman of the Intertribal Policy Board, President of the Blackfeet Stockmen's Association, and a trustee of School District 15.

Representative Higgins is survived by his wife, Alice; two sons, Donald D., Dayton, Ohio; Larry J., Browning, three daughters, Mrs. Patricia Mosley, St. Ignatius, Mrs. Katheleen Stringer, West Glacier; and Mrs. Donna Schildt, Browning, 19 grandchildren and a sister.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable David M. Higgins and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative



Higgins' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### JOSEPH F. HOLECEK

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Joseph F. Holecek, on March 30, 1971 in Lewistown, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Holecek be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Joseph F. Holecek was born August 12, 1888, the son of Mr. and Mrs. Karel Holecek in Kladno, Bohemia. He came to America with his parents August 1893 and settled at Braceville, Illinois where he attended school.

After living in Kansas and California he moved to Montana in 1912 and farmed north of Musselshell. He married Mamie Salamoun, December 16, 1919 in Lewistown.

He served in World War I in the spruce division in the forests of Oregon. After the war he worked on wheat farms and later was employed by the Milwaukee Railroad as a fireman. He was promoted to engineer and remained in that position until his retirement in 1956.

He was a member of the 1933 legislature from Fergus County but was defeated in the 1934 election by one vote. He was then re-elected to the 1937 session and in 1958 he received the most votes for that office. He served on the following committees: Fish and Game, Ways and Means, Liquor Control, Banking and Insurance and was Vice Chairman of the State Boards and Institutions Committee.

Survivors include the widow, Mamie; daughter, Marjorie Graves, San Rafael, Calif.; and son, Russell, Seabrook, Texas and one granddaughter.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Joseph F. Holecek and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Holecek's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### DON B. KING

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Don B. King on December 16, 1970 in Missoula.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative King be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:



He was born May 26, 1888 in Butte and attended Butte schools. He was employed as an accountant by the Anaconda Company. He served as a liquor vendor in Butte from 1941 to 1945. He was also engaged in real estate.

Mr. King was a representative from Silver Bow County to the House of Representatives for the 1920 session. He was appointed Silver Bow County commissioner in 1926 and was re-elected to a six year term in 1928.

He was a member of the fourth degree Knights of Columbus, past state president and life member of the Eagles Lodge, and a member of the Modern Woodmen of America, all in Butte.

He lived in Missoula since 1958.

Former King is survived by his wife, Irene; three sons, James F., Downey, California; Don Jr., Pittsburgh, Pa. and Edward J., Madera, California; three daughters, Mrs. Edward (Marie) Elsworth, Deer Lodge; Mrs. John (Marion) Bradley, Missoula and Mrs. Gilbert (Lois) Meyer, Olympia, Washington, and 16 grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Don B. King and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative King's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### JAMES W. MASTERTSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Former Representative James W. Masterson, in May 1970 in Miles City.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Masterson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

James W. Masterson was born in Holland, Wisconsin, son of Mr. and Mrs. John Masterson. He was reared in Holland and attended the Chicago Art Institute and the Academy of Fine Arts. He married Hazel Elfen in 1954 in Miles City.

He came to Montana in 1913 and homesteaded near Miles City. In 1929 he moved to Butte where he worked for the local paper as a cartoonist. Since 1950 Mr. Masterson devoted all his time to being an artist.

Mr. Masterson was a former Montana State legislator from Custer County serving in the 1935 and 1937 sessions.

He was the author of a historical cartoon book entitled "It Happened In Montana."

Mr. Masterson is survived by his widow; and one son, John of Boulder, Colorado; 18 grandchildren and two great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable James W. Masterson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Masterson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### WAYNE J. McANDREWS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Wayne J. McAndrews, on August 20, 1972 in Anaconda, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative McAndrews be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Mr. Wayne J. McAndrews was born August 27, 1915 in Anaconda, Montana. Wayne's father William was Anaconda's first baby born after it became a city. Representative McAndrews attended local schools and graduated from Anaconda High School in 1933.

He married Emerald Eklund May 31, 1938 in Deer Lodge, Montana. He was employed by the Anaconda Company as an Ironworker, and Ironworker Foreman. At the time of his retirement he was in the Security Office for the Company. Mr. McAndrews resided at 210 East 6th where he operated the Community Grocery. He was an ardent sportsman and took part in football and baseball. He coached St. Peter High School and American Legion baseball.

Wayne McAndrews was elected to the House of Representatives as a Democrat for four terms beginning in 1953 through 1960. He was interested in Workman's Compensation, labor and highway matters.

He was City Treasurer in 1938 and 1939. He was a member of St. Paul's Catholic Church and the Ironworkers Union.

Mr. McAndrews is survived by his wife, Emerald; one son and daughter-in-law, Mr. and Mrs. Bill McAndrews; two grandchildren, three brothers and one sister. His daughter Patricia died in 1962.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Wayne J. McAndrews and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative McAndrews' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

## THOMAS F. McCARVEL

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Thomas F. McCarvel, on September 3, 1971 in Anaconda, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative McCarvel be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative McCarvel was born April 9, 1898 at Heron Lake Minnesota, son of Mr. and Mrs. John McCarvel, old time Anaconda residents. He came to Anaconda with his parents at the age of five and attended the local schools. He entered the military service during World War I.

The former McCarvel married Ceelia Bohnenkamp July 15, 1919 at Remsen, Iowa. He was employed as a clerk in the zinc department at the Anaconda reduction works when he retired in 1959.

He was elected Mayor of Anaconda in 1929 and served until May, 1931. He also served in the Montana legislature as a Representative from Deer Lodge County during the Twenty-third session.

Mr. McCarvel was a member of the St. Joseph Church, the Catholic Order of Forresters, a Past Master of the Knights of Columbus Fourth Degree, Past Grand Knight of the KC, Past Commander of Anaconda American Legion Post and a Past Commander of the American Legion State Department.

Representative McCarvel is survived by his wife, Cecelia, a son and daughter-in-law, Mr. and Mrs. J. M. McCarvel, San Jose, Calif.; four brothers, two sisters, seven grandchildren and a number of nephews and nieces.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Thomas F. McCarvel and extend to the members of his family our sincere sympathy in their great irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative McCarvel's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

## FRITZ NORBY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Fritz Norby, on January 3, 1971 in Great Falls.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Norby be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Fritz Norby was born in Ada, Minnesota, October 15, 1892. He was educated at the University of Minnesota and came to Great Falls in 1916 where he engaged in the real estate and insurance business. He also operated a ranch in the Belt area.



Mr. Norby was one of Great Falls' most active aldermen who was elected for seven terms and served on a variety of committees. He was alderman from 1941 to 1945, Mayor from 1945 to 1947 and returned to the council in 1959 for the next ten years. He was council president for three terms.

He served four terms in the House of Representatives as a Republican from Cascade County from 1951 through the 1957 session. He chairmanned the legislative affairs of cities and appropriations committee.

Norby was a co-chairman of the Great Falls Chamber of Commerce's Montana legislative committee in 1963, a chairman of the water committee and a member of the council's ways and means committee.

He was preceded in death by his first wife, Mrs. Effie Harshbarger Norby in the '50's and his second wife, Mrs. Hazel Hitchcock Norby, whom he married in 1963.

Mr. Norby is survived by his son, Jan; a daughter, Mrs. Jean McDowell, Missoula; two brothers and two grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Fritz Norby and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Norby's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

E. T. PHELPS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative E. T. Phelps, in September 1969 in Los Alamitos, California.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Phelps be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

E. T. Phelps was born August 7, 1879 in Pennsylvania. He married Allie G. Perkins in East Smithfield, Pennsylvania January 19, 1899. His first wife died and in 1903 in Jamestown, North Dakota he married Lulu Sepzer. She died September 3, 1972.

Mr. Phelps homesteaded in the Wild Rose community in 1913 and served as land commissioner there in 1916. He owned a 1400 acre farm in the Wild Rose area. He owned and operated a store in Baylor in the 1920's and had two business establishments in Fort Peck during the 1930's.

He served as state representative from Valley County for the 1917 session.

After moving to California in the late 1930's, Mr. Phelps was engaged in the real estate business. Later he went into semi-retirement and served on the police force.



Mr. E. T. Phelps is survived by a daughter, Mrs. Harry Squires of Opheim; 11 grandchildren; 40 great-grandchildren and nine great-great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable E. T. Phelps and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Phelps's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### WILLIAM P. PILGERAM

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative William P. Pilgeram, on April 7, 1972 in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Pilgeram be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

William P. Pilgeram was born March 11, 1890 in Great Falls, Montana and was raised on a ranch in central Montana. At an early age, he assumed the responsibility of managing his father's ranch.

He studied law and graduated with honors from La Salle Extension University. Mr. Pilgeram was a Marine sergeant in World War I. He married Nettie Brown May 5, 1937 in Helena, Montana.

Mr. Pilgeram was a member of the House of Representatives in 1923, 1933, and 1935 and the Extraordinary Sessions in 1933 and 1934. He served as Democratic Speaker of the House in 1935 and in 1936 served nineteen days as Acting Governor. Pilgeram was a field man with the Land Office for about 12 years and was appointed Commissioner of State Lands & Investments in 1949 and served in that position for four years. He attended the National Democratic Convention in 1924 as a delegate.

Mr. Pilgeram was a member of the Little Church and also an active member in the Helena Veterans of Foreign Wars.

Survivors beside the widow, Nettie, include children Rayne Pilgeram, Browning; Ruth Warren, Walla Walla, Washington; John Henwood, Florence, Arizona, two brothers, four sisters, six grandchildren and four great grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable William P. Pilgeram and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed

Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Pilgeram's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### CARY QUAINANCE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of Representative Cary Quaintance, on November 25, 1972 in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Quaintance be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Cary Quaintance was born in Boulder Valley April 6, 1886, the son of Mr. and Mrs. A. C. Quaintance, pioneer ranchers.

He married May Middlemas June 4, 1913. He operated the Boulder Valley ranch that had been in his family since 1867, until his retirement.

Mr. Quaintance served in the House of Representatives from Jefferson County as a Republican in the 1917 session.

The former Representative is survived by his widow, May; two daughters, Mrs. Emmett C. (Laura M.) Angland of Great Falls, and Mrs. Doris Q. Graves of Walla Walla, Washington; a brother and two grandsons. A son, William, was killed in World War II.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Cary Quaintance and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Quaintance's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### WALTER LEWIS SALES

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Walter Lewis Sales, on June 29, 1971, in Bozeman, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Sales be filed on the official records of this assembly and the following facts relative to his career are hereby noted:

Walter Lewis Sales was born April 7, 1902 in Manhattan, Montana. He attended the Baker Creek, Bozeman and Long Beach, California grade schools and graduated from Long Beach Poly Tech. In 1926 he graduated from Montana State College and did graduate work at North Dakota State in Fargo.

Following his graduate work, Walter Sales was County Agent at Mott and Kildeer, North Dakota. He married Solveig Rivenes, daughter of Jens Rivenes, pioneer attorney, in Bozeman on August 30, 1927. Representative Sales was a rancher in the Manhattan area from 1935 until his retirement in 1955, then they moved to Bozeman. His father, Walter H. Sales, was a legislator from Gallatin County during the Eighth, Ninth, and Fourteenth Legislation Sessions.

The late Representative from Gallatin County served for seven terms commencing with the Thirtieth Session through the Thirty-sixth Session. He was Speaker Pro Tem during the Thirty-fourth Session. He served on the Ways and Means Committee during most of his legislative career and his main interest was agriculture.

Representative Sales was active in the State Republican Club and served as State Committeeman. He was Past President of the Three Forks Soil Conservation District, Past Director of the Montana Chamber of Commerce and he served on the Board of the Montana Heritage Association.

He was a member of the Bozeman Masonic Lodge No. 18, Livingston Scottish Rite, Algeria Shrine at Helena, Bozeman Elks Lodge and Past President of the Manhattan Rotary Club, Sigma Chi Fraternity at Montana State College and the Farm Bureau. Mr. Sales was a member of the Hope Lutheran Church.

The late Representative Sales is survived by his wife, Solveig and one son, Walter Rivenes Sales who is presently Chairman of the Gallatin County Commissioners, and five grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Walter Lewis Sales and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Sale's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### MARVIN JOSEPH SORTE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Marvin Joseph Sorte, on April 15, 1972.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Sorte be filed on the official records of this assembly and the following facts relative to his career are hereby noted:

Representative Marvin Joseph Sorte was born January 10, 1895 in Madison, Minnesota. He served in the infantry in France during World War I and homesteaded south of Flaxville after the war.

In 1926 he married Bernice Mary Lawrence of Smoke Creek, Montana. She preceded him in death in 1965.

He was Past Commander of the Scobey VFW Post 173, which is the oldest VFW Post in Montana, and was the oldest continuous member having been in the organization for 41 years.



During the '30's, Mr. Sorte was associated with the late Fred Krassin of Flaxville in the Krassin and Sorte Coal Co. which headquartered in Scobey, obtaining its soft coal from several mines in the area including some mines the company owned. The Krassin & Sorte Coal Co. was originally the McCurdy Coal Co., and later the Stephens and King Coal Co. before it became Krassin & Sorte.

In later years, Mr. Sorte was a trusted assistant and employee at the old H. P. Larsen Implement & Lumber Co. before his retirement.

Mr. Sorte served in the House of Representatives of the Montana Legislative Assembly in the 1937 and 1939 sessions. He was one of the stalwart workers in the Democratic Party and was well known by state and national Democratic Party officials and leaders.

Representative Sorte was a member of the Scobey Lutheran Church.

Marvin Sorte is survived by four sons, Dr. Curtis Sorte of Albany, Oregon; Donald and Gerald, both of Olympia, Wash.; and Judge James Sorte of Wolf Point; four sisters and five brothers in Minnesota and eight grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Marvin Joseph Sorte and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Sorte's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### RICHARD D. TOOKE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Richard D. Tooke on August 28, 1972 in Red Lodge, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Tooke be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Richard D. Tooke, was born September 2, 1912 in Ekalaka, son of Mr. and Mrs. Earl Tooke. He married Arline Fay Costlow, December 25, 1940.

He served in the U. S. Navy during World War II and was employed at Colstrip from 1944 to 1950 by Foley Brothers. In 1944 he returned to Ekalaka where he owned and operated the local telephone company until he retired in 1965. After living in Billings for three years, he moved near Red Lodge where he lived until his death.

Mr. Tooke served in the Montana Legislature during the 1963 and 1965 sessions as a Representative from Carter County.

He was Past Master of Ekalaka Lodge No. 120 AF & AM, Past Worthy Patron of Harmony Chapter 127, OES: and President of Carter County Chamber of Commerce in 1964.

Representative Tooke is survived by his widow, Arline; two sons, Tom of Bozeman and Richard of Red Lodge; two daughters, Patty of Dallas,



Texas, and Pamela of Red Lodge; one grandson, and three brothers, all of Ekalaka.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Richard D. Tooke and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Tooke's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

#### LOVITT I. WESTLAKE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-third Legislative Assembly of the state of Montana record the passing of former Representative Lovitt I. Westlake on March 29, 1972 in Bozeman, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Westlake be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Lovitt I. Westlake was born May 15, 1895 at Confidence, Iowa, the son of Mr. and Mrs. A. E. Westlake. The family moved to Gallatin Valley in 1910. He married Ella V. Larson in September of 1920. Mr. Westlake attended Montana State University before serving in the military service during World War I.

Representative Westlake was sheriff of Gallatin County for fifteen years. During that time he also served a term as President of the Montana Peace Officers Assoc. He was engaged in farming most of his adult life and returned to farming after retiring from the sheriff's office.

The former Representative Westlake served in the Montana Legislature for two terms beginning in 1949 through 1952.

He was a member of the Grand Avenue Christian Church, Masonic Lodge No. 18, Bozeman Elks Lodge, Gallatin Post No. 14 of the American Legion and a charter member of the Bozeman chapter of Sigma Alpha Epsilon, social fraternity at Montana State University.

Lovitt Westlake is survived by his widow, Ella; a son Vernon, Bozeman, and two daughters, Mrs. Milton (Peggy) Schaplow, Bozeman; and Mrs. Frederick H. (Lucille) Peter, Chicago, Ill.; a sister and three brothers, all of Bozeman; six grandchildren and several nieces and nephews.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Lovitt I. Westlake and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-third Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives

of the Forty-third Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of Representative Westlake's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Representatives Menahan and Hager moved the foregoing resolutions be spread upon the Journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motion carried.

Benediction by Reverend Harper.

Senator Thiessen declared the Joint Session adjourned.

NECROLOGY COMMITTEE OF THE SENATE

NECROLOGY COMMITTEE OF THE HOUSE:

Zimmer, Chairman  
Menahan  
Baucus  
Hager  
Brown

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#### FORTY-NINTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 26, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Ainsworth, Colberg, Zimmer, Schepens, Schye, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 48th Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

February 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 341, respectfully report as follows: That Senate Bill No. 341 be amended on page 1, section 1, line 11 of the Senate Third Reading and Introduced Bill by deleting the material "[25-312]" and inserting in lieu thereof the new material "25-311", and

Be further amended on page 1, section 1, line 12 of the Senate Third Reading and Introduced Bill by deleting the material "[25-312]" and inserting in lieu thereof the new material "25-311", and

Be further amended on page 1, section 1, line 16 of the Senate Third Reading and Introduced Bill by deleting the material "[25-311]" and inserting in lieu thereof the new material "25-304".

And as amended, be concurred in.

HALL, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 356, respectfully report as follows: That Senate Bill No. 356 be amended on page 1, section 1, line 13 of the Senate Third Reading and Introduced Bill after the word "peace" by inserting the new material "which shall be collected from fines and forfeitures received by justices of the peace."

And as amended, be concurred in.

HALL, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be amended by striking all amendments to the introduced bill.

HALL, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 337, respectfully report as follows: That Senate Bill No. 337 be concurred in.

HALL, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 340, respectfully report as follows: That Senate Bill No. 340 be not concurred in.

HALL, Chairman

Report adopted by the following vote:

Ayes: Ashbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towse, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 83.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Aageson, Baucus, Brand, Driscoll, Edland, Ellerd, Lundgren, Norman, Roberts, Selstad, Staigmilller, Yardley. Total 12.

February 23, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 159, respectfully report as follows: That Senate Bill No. 159 be not concurred in.

KOSENSA, Chairman

Report adopted by the following vote:

Ayes: Ashbjornson, Bardanouve, Barrett, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Fagg, Fasbender, Fleming,

Flynn, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, Halvorson, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Mercer, Murphy, Nichols, Olson, Rolfe, Seifert, Smith, Stoltz, Turner, Ulmer, Walborn, Mr. Speaker. Total 48.

Noes: Baeth, Baucus, Bell, Cotton, Glennen, Greely, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kolstad, Lee, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Quilici, Regan, Roberts, Staigmiller, Stephens, Swanberg, Tierney, Towe, Watt. Total 33.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Aageson, Brand, Brown, Driscoll, Ellerd, Lundgren, Menahan, Norman, Prevost, Selstad, Shelden, Turman, Warfield, Yardley. Total 14.

February 26, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 203, respectfully report as follows: That Senate Bill No. 203 be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 368, respectfully report as follows: That Senate Bill No. 368 be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Resolution No. 14, respectfully report as follows: That House Resolution No. 14 be adopted.

LAAS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 38, respectfully report as follows: That Senate Joint Resolution No. 38, be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 14, respectfully report as follows: That Senate Joint Resolution No. 14 be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 15, respectfully report as follows: That House Resolution No. 15 be adopted.

GREELY, Vice-Chairman

Report adopted.



February 26, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 16, respectfully report as follows: That House Resolution No. 16 be amended on page 1, of the title, line 5 after the word "council" insert the following language "or the appropriate standing committee" and

Further amend on page 1, line 22 after the word "council" insert the following language "or the appropriate standing committee" and

Further amend on page 2, line 2 after the word "membership" insert a "comma (,)" and

Further amend on page 2, line 2 by striking the word "[and]" and

Further amend on page 2, line 3 after the word "issue" by inserting the following language "and enforcement of these provisions" and

Further amend on page 2, after the language on line 3 by inserting a new "BE IT FURTHER RESOLVED" clause to read as follows: "BE IT FURTHER RESOLVED, that the legislative council or the appropriate standing committee consult with representatives from each political party, from the office of secretary of state, and from the Montana clerk and recorders association during the course of the study, and" and

Further amend on page 2, line 4 after the word "council" insert the following language "or the appropriate standing committee"

And as amended, be adopted.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 351, respectfully report as follows: That Senate Bill No. 351 be concurred in.

MEHRENS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 333, respectfully report as follows: That Senate Bill No. 333, be concurred in.

MEHRENS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 327, respectfully report as follows: That Senate Bill No. 327 be concurred in.

MEHRENS, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 281, respectfully report as follows: That Senate Bill No. 281 be not concurred in.

MEHRENS, Chairman

Towe moved, as a substitute motion, that Senate Bill No. 281 be printed and placed on Second Reading. Towe requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Cox, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Kimble, Kosena, Kvaalen, Lockrem, Lucas, Marbut, Mercer, Norman, Prevost, Rolfe, Seifert, Staigmiller, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, McKittrick. Total 47.

Noes: Aageson, Asbjornson, Baeth, Barrett, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Flynn, Galt, Hageman, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Quilici, Regan, Roberts, Shelden, Smith, Stephens, Stoltz, Walborn, Mr. Speaker. Total 47.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Selstad. Total 1.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fasbender, Flynn, Galt, Glennen, Hageman, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Quilici, Regan, Roberts, Seifert, Shelden, Smith, Stephens, Stoltz, Walborn, Mr. Speaker. Total 54.

Noes: Bardanouve, Baucus, Bell, Bennetts, Bradley, Cox, Ellerd, Fagg, Fleming, Forsgren, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Kvaalen, Lockrem, Marbut, Mercer, Norman, Prevost, Rolfe, Staigmiller, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 39.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: McKittrick, Selstad. Total 2.

February 26, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

EDLAND, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be amended on page 1, line 10, title, of the Senate Third Reading and Introduced bill, by inserting after the word "estimate" the following punctuation and words: ", and providing an exception for emergencies"

Be further amended on page 2, section 1, line 20 of the Senate Third Reading and Introduced bill, by striking the period "[.]" and inserting in lieu thereof the following punctuation and words: "; however, capital improvements of an emergency nature necessary to protect life or property or to supply immediate needs for water do not require such approval."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 211, respectfully report as follows: That Senate Bill No. 211 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 310, respectfully report as follows: That Senate Bill No. 310 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 230, respectfully report as follows: That Senate Bill No. 230 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 443, respectfully report as follows: That Senate Bill No. 443 be amended on page 16, following line 19 of the Senate Third Reading and Introduced bill, by inserting this new section to read as follows: "Section 18. Nothing in this act shall be construed to be applicable to mining or exploration operations which are regulated under the provisions of Title 50, Chapter 12, R.C.M. 1947" and

Be further amended on page 16, line 20 of the Senate Third Reading and Introduced bill, by renumbering Section "18" to read Section "19"

Be further amended on page 6, line 9 of the Senate Third Reading and Introduced bill, by inserting after the word and punctuation "affected." the following: "Any operator conducting a number of operations each of which result in the removal of less than ten thousand cubic yards of product or overburden but which result in the removal of ten thousand (10,000) cubic yards, or more, of product or overburden in the aggregate shall be subject to the provisions of this act."

Be further amended on page 10, line 13 of the Senate Third Reading and Introduced bill, by striking the following: "[and the advisory committee]"

Be further amended on page 10, line 16 of the Senate Third Reading and Introduced bill by striking the word, punctuation, and number "[sixty (60)]" and inserting in lieu thereof the word, punctuation, and number "thirty (30)"; and on lines 19 and 20 by striking the word, punctuation and number "[sixty (60)]" and inserting in lieu thereof the word, punctuation and number "thirty (30)"; and on line 21 by striking the word, punctua-



tion and number "[sixty (60)]" and inserting in lieu thereof the word, punctuation and number thirty (30)"

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

January 12, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

WATT, Chairman

Report adopted.

January 15, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Cox, Flynn, Fagg, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Huennekens, Jacobsen, Kendall, Kessner, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Brand, Clemow, Cotton, Hall, Holtz, Jones, Lundgren, Staigmiller. Total 8.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Brown, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, R. Harper, Holmes, Hubing, Johnston, Kimble, Kvaalen, Laas, Lucas, Lynch, Manuel, Marks, Turman, Ulmer, Warfield. Total 21.

January 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Asbjornson, Lien, Lockrem: Total 3.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.



Absent or not voting: Burnett, East, Edland, Ellerd, Fagg, Galt, Kimble, Kvaalen, Lynch, Quilici, Selstad, Warfield. Total 12.

January 25, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do not pass.

WATT, Chairman

Lucas moved, as a substitute motion, that House Bill No. 414 be printed and placed on Second Reading. Hall requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Menahan, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 45.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 53.

Excused: Ainsworth, Schepens. Total 2.

Absent or not voting: None.

Paired: Colberg—Nay, Lund—Aye; Zimmer—Nay, Schye—Aye.

Thereupon the committee report was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 51.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Menahan, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 46.

Excused: Ainsworth, Schepens. Total 2.

Absent or not voting: Flynn. Total 1.

Paired: Colberg—Aye, Lund—Nay; Zimmer—Aye, Schye—Nay.

February 26, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 130, 19, 382, 376, 380, 182, 59, 172, 114, 11, 70 and 215.

QUILICI, Chairman

February 26, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 467.

QUILICI, Chairman

February 26, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 463.

QUILICI, Chairman

February 26, 1973

I have examined House Bill No. 382, introduced by me and find the same to be correct.

HALL

February 26, 1973

I have examined House Bill No. 380, introduced by me and find the same to be correct.

HALL

February 26, 1973

I have examined House Bill No. 376, introduced by me and find the same to be correct.

HALL

February 26, 1973

I have examined House Bill No. 217 introduced by me and find the same to be correct.

KOLSTAD

February 26, 1973

I have examined House Bill No. 182, introduced by me and find the same to be correct.

MARBUT

February 26, 1973

I have examined House Bill No. 172, introduced by me and find the same to be correct.

KIMBLE

February 26, 1973

I have examined House Bill No. 114, introduced by me and find the same to be correct.

COX

February 26, 1973

I have examined House Bill No. 70, introduced by me and find the same to be correct.

BRAND

February 26, 1973

I have examined House Bill No. 59, introduced by me and find the same to be correct.

LOCKREM

February 24, 1973

I have examined House Bill No. 11, introduced by me and find the same to be correct.

SHELDEN

The Speaker signed in open session House Bills Nos. 382, 380, 376, 217, 182, 172, 114, 70, 59 and 11.

## MESSAGES FROM THE GOVERNOR

February 25, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Joint Resolution No. 12.

House Bills Nos. 10, 27, 29, 30, 48, 74, 80, 231 and 282.

Sincerely,  
THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

February 23, 1973

Mr. Ed Smith  
Chief Clerk  
House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Smith:

Pursuant to your request dated February 23, 1973, I have returned House Bill No. 65 for the purpose of correcting errors in the enrolled bill.

Sincerely,  
THOMAS L. JUDGE  
Governor

## MESSAGES FROM THE OTHER HOUSE

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 115, and on motion duly carried that a Conference Committee be appointed from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following:

Senator Vainio—Chairman  
Senator Keenan  
Senator Mathers

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion this day, duly carried, the Senate has requested the return of House Bill No. 479 for the purpose of reconsideration by the Senate.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills failed on third reading this day, and the bills are herewith returned to the House.

House Bill No. 135, introduced by Kendall & Turman

House Bill No. 136, introduced by Kendall & Turman

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request and are herewith returning Senate Bill No. 336 to the House for further consideration.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, and amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 142, introduced by Fasbender

House Bill No. 144, introduced by Lynch, Cox, et al

House Bill No. 374, introduced by Schye

House Bill No. 400, introduced by Mercer, Glennen, et al

House Joint Resolution No. 9, introduced by Turman, Bardanouve, et al

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day, on Committee Reports and duly



adopted, recommended for nonconcurrence and the bills are herewith returned to the House.

House Bill No. 287, introduced by Laas

House Bill No. 425, introduced by Selstad

House Bill No. 551, introduced by Marbut, Hall and Fasbender

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 20, was this day on the Committee of the Whole recommended said bill be indefinitely postponed, report adopted, the bill is herewith returned to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 121, and on motion duly carried that a Conference Committee be appointed from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following:

Senator Vainio—Chairman  
Senator Keenan  
Senator Mathers

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 9, introduced by Sheldon, Lucas (by request)

House Bill No. 63, introduced by McKittrick, Menahan, et al

House Bill No. 104, introduced by Baucus, Lombardi, et al

House Bill No. 115, introduced by Lombardi, McKittrick (by request)

House Bill No. 138, introduced by Glennen, Cox, et al

House Bill No. 139, introduced by Greely, Swanberg, et al

House Bill No. 151, introduced by Staigmillier (by request), Lien, et al

House Bill No. 170, introduced by Baeth, McKittrick (by request) et al

House Bill No. 188, introduced by Tierney, Greely, et al  
 House Bill No. 198, introduced by Stoltz, Holmes & Marks  
 House Bill No. 206, introduced by Johnston, Stephens, et al  
 House Bill No. 230, introduced by Cotton, Lynch & Holmes  
 House Bill No. 408, introduced by Lien, Brand, et al  
 House Bill No. 435, introduced by Glennen & Holtz  
 House Bill No. 436, introduced by Glennen & Lien  
 House Bill No. 459, introduced by Marks and Halvorson  
 House Bill No. 486, introduced by Lien & Glennen  
 House Joint Resolution No. 2, introduced by Murphy, Laas, et al

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a conference committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 115.

Motion carried.

Fasbender moved that the Speaker appoint a conference committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 121.

Motion carried.

Marbut moved that Senate Bill No. 300 be taken from Committee on State Administration and be rereferred to Committee on Natural Resources.

Motion carried.

Hall moved that the House accede to the request of the Senate to return House Bill No. 479 to the Senate for the purpose of reconsideration.

Motion carried.

Hall moved that the House direct the Committee on Judiciary to resume consideration of House Bill No. 217.

Motion carried.

Brand moved that Senate Bill No. 336 be referred to Committee on State Administration.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 587, introduced by Hodges: A bill for an act entitled: "An act to repeal the authority granted to city councils to levy a poll tax, Repealing Sections 11-951 and 84-4732 through 84-4735, R.C.M. 1947." Referred to Committee on Local Government.

House Resolution No. 18, introduced by Marks: A resolution of the House of Representatives of the State of Montana granting floor privileges

to constitutional convention delegates. Referred to Committee on Legislative Administration.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 200, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huenekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Edland, Flynn, Smith, Watt. Total 4.

Senate Bill No. 258, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Edland, Flynn, Huennekens, Kendall, Nichols, Olson, Selstad, Watt. Total 9.

Senate Bill No. 259, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Edland, Flynn, Watt. Total 3.

Senate Bill No. 273, failed by the following vote:

Ayes: Barrett, Baucus, Bennetts, Bradley, Brand, Cotton, Driscoll, Fasbender, Fleming, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kendall, Kimble, Laas, McKittrick, Marbut, Murphy, Norman, Prevost, Regan, Roberts, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 40.

Noes: Aageson, Asbjornson, Baeth, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hageman, Hager, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Seifert, Selstad, Smith, Stephens, Ulmer, Walborn. Total 50.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Cox, Flynn, Watt, Edland. Total 5.

Senate Bill No. 274, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Clemow, Cox, East, Glennen, Hubing, Jones, Lundgren, Marks, Mercer, Nichols, Olson, Selstad, Smith, Walborn. Total 14.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Edland, Flynn, Holtz, Watt. Total 4.

Senate Bill No. 426, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Edland, Flynn, Lucas, Watt. Total 4.



## THIRD READING OF HOUSE BILLS

House Bill No. 462 was passed by the following vote:

Ayes: Barrett, Baucus, Bell, Bennetts, Bradley, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Hodges, Huennekens, Jacobsen, Kimble, Kvaalen, Laas, Lien, Lucas, Lund, McKittrick, Marbut, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Staigmiller, Stephens, Stoltz, Towe, Turman, Warfield, Watt, Mr. Speaker. Total 49.

Noes: Aageson, Asbjornson, Baeth, Brand, Brown, Burnett, Campbell, Clemow, East, Ellerd, Forsgren, Galt, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Lee, Lockrem, Lombardi, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Quilici, Rolfe, Seifert, Selstad, Shelden, Smith, Swanberg, Tierney, Turner, Ulmer, Walborn, Yardley. Total 42.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Holmes, Halvorson. Total 4.

House Bill No. 574 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Ellerd, Flynn, Marks. Total 4.

House Bill No. 581 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Haines. Total 1.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn. Total 2.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 21, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Galt, Lundgren, Ulmer. Total 5.

Senate Joint Resolution No. 25, was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: Bradley, Burnett, Cox, Driscoll, Greely, Olson, Rolfe, Selstad, Tierney, Turner. Total 10.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Galt, Lundgren, Ulmer, Watt, Regan. Total 7.

Senate Amendments to House Bill No. 89 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Greely. Total 1.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Hall, Lundgren. Total 4.

Senate Amendments to House Bill No. 209 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 89.

Noes: Hall, Lien. Total 2.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Galt, Watt. Total 4.

Baucus moved that Senate Amendments to House Bill No. 272 be taken from Third Reading and returned to Second Reading.

Motion carried.

Senate Amendments to House Bill No. 308 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Towe, Turman, Walborn, Warfield, Yardley, Mr. Speaker. Total 79.

Noes: Burnett, Greely, Tierney. Total 3.

Excused: Ainsworth, Colberg, Schepens, Schye, Zimmer. Total 5.

Absent or not voting: Bardanouve, Flynn, Johnston, Kessner, Lucas, Lundgren, Marbut, Mehrens, Nichols, Stoltz, Turner, Ulmer, Watt. Total 13.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Roberts in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That Senate Bill No. 404 be passed for the day.

That Senate Joint Resolution No. 8 be concurred in (65-1).

That Senate Bill No. 290 be concurred in (67-0).

That Senate Bill No. 349 be concurred in (73-0).



That Senate Joint Resolution No. 23 be concurred in (64-1).  
 That Senate Joint Resolution No. 24 be concurred in (61-1).  
 That Senate Joint Resolution No. 33 be concurred in (74-3).  
 That Senate Joint Resolution No. 37 be concurred in (62-6).  
 That Senate Joint Resolution No. 39 be concurred in (60-24).  
 That House Bill No. 578 be passed to the bottom of the board.  
 That House Bill No. 575 be placed below House Bill No. 506.  
 That House Bill No. 519 do pass. (72-0).

That House Bill No. 506 be amended in Section 1, page 2, line 3 on the second reading bill following the word "years" by adding a period and striking all the language to the end of Section 1, subsection 1,

And to further amend Section 1, subsection 3, page 2, line 16 following the word "director" by adding the following language "of the Department of Revenue.", and striking the remaining language on line 16 and line 17. (55-28)

And as amended, do pass (80-5).

That House Bill No. 575 do pass (76-2).

That the Committee rise and report.

ROBERTS, Chairman

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion this day, duly carried, the Senate has requested the return of House Bill No. 425 for the purpose of reconsideration by the Senate.

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion this day, duly carried, the Senate requests the return of House Bill No. 135 for the purpose of reconsideration by the Senate.

Respectfully yours,  
 WALTER H. MARSHALL  
 Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Hall moved that the House accede to the request of the Senate to return House Bill No. 425 for further consideration.

Motion carried.

Hall moved that the House accede to the request of the Senate to return House Bill No. 135 for further consideration.

Motion carried.



Hall moved that the House adjourn until 1:30 p.m., February 27, 1973.

Motion carried.

House adjourned.

ED SMITH, Chief Clerk

HAROLD E. GERKE, Speaker

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### FIFTIETH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 27, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Reverend Watson and Pledge of Allegiance to the Flag by the assembly.

All members present except Tierney and Manuel, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-Ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

February 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 14 and House Resolution No. 15.

QUILICI, Chairman

February 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 325, 269, 210, 175, 148, 381, 377, 378, 318 and 379.

QUILICI, Chairman

February 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 519 and 575.

QUILICI, Chairman

January 17, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

WATT, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 207, respectfully report as follows: That Senate Bill No. 207 be concurred in.

BARDANOUVE, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 31, respectfully report as follows: That Senate Joint Resolution No. 31 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be amended on the third reading copy, in the title on page 1, line 10, after the word "HIRING" by inserting the words "OR DISMISSING" and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 235, respectfully report as follows: That Senate Bill No. 235 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 238, respectfully report as follows: That Senate Bill No. 238 be concurred in.

GUNDERSON, Chairman

Report adopted.

January 29, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 509, respectfully report as follows: That House Bill No. 509 be amended on page 1, title, line 11, after the word "COUNTIES" by striking the words and punctuation "[; AND REPEALING 84-1309, R.C.M. 1947]", and

Be further amended on page 4, Section 1, Subsection 2, line 4, after the figure "(8,001)" by striking the words "[and up]" and inserting in lieu thereof the words and figure "to nine thousand (9,000)", and

Be further amended on page 4, Section 1, after Subsection 2 (c), after line 5, by inserting a new Subsection 2 (d) as follows: "(d) For each ton of coal having a BTU rating of nine thousand one (9,001) and up, thirty-three cents (\$.33) per ton.", and

Be further amended on page 5, beginning on Section 2, beginning on line 6, by striking that Section 2 in its entirety and renumbering subsequent Sections, and

Be further amended on page 6, Section 4, line 17, by striking the words "[Section 4. Section 84-1309, R.C.M. 1947, is repealed.]", and

As amended, do pass.

WATT, Chairman

(Material in brackets denote cancelled type.)

Report adopted.

## REPORTS OF SELECT COMMITTEES

February 26, 1973

## HOUSE JOINT RESOLUTION NO. 10

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Joint Resolution No. 10, beg leave to report as follows:

That we met this day and considered Senate Committee on Business and Industry Amendments dated February 3, 1973, to House Joint Resolution No. 10 and recommend as follows:

That the House accede to the Senate Committee on Business and Industry amendments correcting the title,

And further that the House accede to the Senate Committee on Business and Industry amendment on page 1, line 18 striking the punctuation and word “, and” and inserting in lieu thereof “.”,

And further recommend that the House accede to Senate Committee on Business and Industry amendment deleting lines 19 through 21, page 1,

And further recommend that the Senate recede from the Senate Committee on Business and Industry amendments changing the language in line 25, page 1, and further recede from its amendment on page 2, line 1,

And further that the Senate recede from the Senate Committee on Business and Industry amendments on page 2, lines 3 through 6 by restoring and lines, and amending the same to read as follows: “Be it further resolved, that the young women granted the title of Miss Montana in 1973 and 1974 will, from the commencement of their reigns, be officially designated honorary hostesses of the State of Montana, and,”

And that as so amended House Joint Resolution No. 10 be concurred in.

For the Senate: HALL  
KEENAN  
ROSELL

For the House: HALL  
HOLMES  
CASTLES

Hall moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosenia, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 77.

Noes: H. Harper, Kimble, Norman. Total 3.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Aageson, Baucus, Bell, Colberg, Cox, Edland, Ellerd, Fagg, Huennekens, Kendall, Lockrem, Lucas, Lundgren, Schye, Towe, Ulmer, Yardley, Zimmer. Total 18.

## MESSAGES FROM THE SENATE

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 484.

The President Pro-Tem appointed the following:

Senator McDonald, Chairman  
Senator Zody  
Senator Northey

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 431.

The President Pro-Tem appointed the following:

Senator Flynn, Chairman  
Senator Jensen  
Senator Himsl

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 147. On motion and duly carried, Senator Lynch requested that a Conference Committee be appointed from the Senate to meet with a like committee from the House to confer on said amendments.

The President Pro-Tem appointed the following:

Senator Sorenson, Chairman  
Senator Carl  
Senator McGowan

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 100.



The President Pro-Tem appointed the following:

Senator Shea, Chairman  
Senator Sorenson  
Senator Cochrane

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 60 introduced by Lynch, Lee, et al

House Bill No. 164 introduced by McKittrick, Lynch, Swanberg

House Bill No. 186 introduced by Hall

House Bill No. 190 introduced by Gunderson, Kimble, et al

House Bill No. 191 introduced by Gunderson, Kimble, et al

House Bill No. 218 introduced by Burnett, Hageman

House Bill No. 235 introduced by Barrett, Asbjornson, et al

House Bill No. 252 introduced by Bradley and Tierney

House Bill No. 267 introduced by Yardley, Hall, Bell

House Bill No. 271 introduced by Healy, Mehrens, et al

House Bill No. 315 introduced by Kimble, Turman, et al

House Joint Resolution No. 32 introduced by Bardanouve, Nichols.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 82, introduced by Hager, et al, was this day by committee report recommended be not concurred in, report adopted, and the bill is herewith returned to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 26, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 34, introduced by Colberg, was this day read three several times and concurred in, as amended, title and history agreed to, and the bill is herewith transmitted to the House.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Forsgren, having voted on the prevailing side in concurring on Senate Bill No. 273 on Third Reading, moved that the House reconsider its action.

Motion carried.

Hall moved that the Speaker appoint a conference committee to meet with a like committee from the Senate to consider House Amendments to Senate Bill No. 147.

Motion carried.

Fasbender moved to reconsider action on Senate Bill No. 281 on an adverse committee report at the previous sitting. Lynch requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Bardanouve, Baucus, Bennetts, Bradley, Brown, Colberg, Cox, Ellerd, Fagg, Fasbender, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens Kimble, Kosena, Lockrem, Marbut, Mercer, Norman, Prevost, Rolfe, Schepens, Staigmiller, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley. Total 37.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Marks, Mehrens, Menahan, Murphy, Nichols, Olson, Quilici, Regan, Roberts, Schye, Seifert, Selstad, Smith, Stephens, Turner, Walborn, Mr. Speaker. Total 57.

Excused: Manuel, Tierney. Total 2.

Paired: Hall, aye; Roberts, no.

Absent or not voting: McKittrick, Shelden, Stoltz, Zimmer. Total 4.

## REPORTS OF STANDING COMMITTEES

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 179, respectfully report as follows: That Senate Bill No. 179 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 213, respectfully report as follows: That Senate Bill No. 213 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 249, respectfully report as follows:

That Senate Bill No. 249 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 250, respectfully report as follows: That Senate Bill No. 250 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 275, respectfully report as follows: That Senate Bill No. 275 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 361, respectfully report as follows: That Senate Bill No. 361 be concurred in.

BRAND, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 582, respectfully report as follows: That House Bill No. 582 be amended on page 127, Section 113, line 20, by striking the numbers "[82A-201.1]" and inserting in lieu thereof the numbers "82A-204.1", and

Further amend on page 127, Section 113, by striking lines 21 through 25 in their entirety and inserting in lieu thereof the following new material: "82A-204.1. Functions of the Board of Investments. The Board of Investments is responsible for: (1) Assisting agencies with public money to determine if, when and how much surplus cash is available for investment. (2) Determining the amount of surplus treasury cash to be invested. (3) Determining the type of investment to be made. (4) Preparing the claim to pay for the investment. (5) Administering laws pertaining to investment of public funds, including but not limited to, laws pertaining to:", and

Further amend on page 129, Section 114, Subsection (4), line 21, following the word and punctuation "chapter." by inserting the words and punctuation "The Board of Investments has the sole authority to exercise the investment functions enumerated in 82A-204.1", and

Further amend on page 129, Section 114, Subsection (4), line 22, following the word and punctuation "funds." by inserting the words and punctuation "The board shall direct the investment of state funds in accordance with the laws and constitution of this state.", and

As amended, do pass.

BRAND, Chairman

(Material in brackets denote cancelled type.)

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 381, respectfully report as follows: That Senate Bill No. 381 be not concurred in.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 81.

Noes: None.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Bardanouve, Bell, Brown, Edland, Ellerd, Flynn, Holmes, Kendall, Kvaalen, Lundgren, McKittrick, Mehrens, Roberts, Selstad, Swanberg, Yardley, Zimmer. Total 17.

February 27, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 do not pass.

BRAND, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Marbut, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 76.

Noes: Barrett, Bell, Marks. Total 3.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Brown, Cox, Edland, Ellerd, Holmes, Jones, Kvaalen, Lundgren, Lynch, McKittrick, Mehrens, Norman, Roberts, Schye, Selstad, Swanberg, Watt, Yardley, Zimmer. Total 19.

The Speaker signed in open session Senate Bill No. 17.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 19, introduced by McKittrick, Lockrem, R. Harper, Quilici, Lee, Fleming, Edland, Healy, Lombardi, Fagg, Murphy, Hageman, Stoltz, Lucas, Lynch, Mehrens, Johnston, Galt, Nichols, Menahan, Kolstad, Cox, Baeth, Kosena, Glennen, Walborn, Smith, Olson, Barrett, Asbjornson, Jones, Norman, Gerke, Staigmiller, Regan, Haines, Seifert, Kvaalen, Fasbender, Hall, Ulmer, Bell, Campbell, Clemow, Holtz, Aageson, Selstad, Burnett, Kessner, Forsgren, Jacobsen, Driscoll: A Resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to adopt an amendment to the United States Constitution which will reinstate the right of the states to protect the right of an unborn human being to life and offer the Constitutional Amendment to the states for ratification. Referred to Committee on Public Health, Welfare and Safety.



House Resolution No. 20, introduced by Committee on Labor and Employment Relations: A Resolution of the House of Representatives of the State of Montana requesting the Department of Labor and Industry, Workmen's Compensation Division, to further amend its interim safety order of April 5, 1971, amended January 1, 1973, relating to low-pressure steam and hot water boiler operation. Referred to Committee on Labor and Employment Relations.

House Bill No. 588, introduced by Lund: A bill for an act entitled: "An act appropriating moneys for the Office of Coordinator of Indian Affairs for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 290 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Cox, Fagg, Hager, Kendall, Kosena, Mehrens, Roberts, Schye, Selstad, Watt. Total 10.

Senate Bill No. 349 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Staigmillier. Total 1.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Cox, Gunderson, Roberts, Schye, Selstad, Watt. Total 6.

Senate Joint Resolution No. 23 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson,

H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett. Total 1.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Bardanouve, Clemow, Cox, Hall, Lundgren, Roberts, Rolfe, Selstad. Total 8.

Senate Joint Resolution No. 24 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Marphy, Nichols, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Asbjornson, Barrett, Bell, East, Ellerd, Galt, Kessner, Mercer, Olson, Selstad, Smith, Walborn. Total 12.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Bardanouve, Burnett, Clemow, Cox, Fasbender, Lundgren, Roberts, Schye, Watt. Total 9.

Senate Joint Resolution No. 33 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Bell, Burnett, Clemow, Ellerd, Galt, Glennen, Hubing, Kolstad, Lien, Marks, Olson, Rolfe, Selstad, Smith, Swanberg, Turner, Walborn. Total 17.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Bardanouve, Cox, Roberts, Schye. Total 4.

Senate Joint Resolution No. 37 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Shelden,

Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Asbjornson, Barrett, Bell, Burnett, East, Ellerd, Galt, Holtz, Hubing, Lockrem, Lund, Olson, Rolfe, Selstad, Smith, Turner, Ulmer, Walborn. Total 18.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Bardanouve, Jones, Roberts, Schye. Total 4.

Senate Joint Resolution No. 39 was concurred in by the following vote:

Ayes: Aageson, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 62.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, Holtz, Hubing, Jones, Lien, Lockrem, Lund, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Turner, Ulmer, Walborn. Total 29.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Ainsworth, Bardanouve, Jacobsen, Kessner, Kvaalen, Roberts, Schye. Total 7.

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Burnett, Cox, Olson, Smith, Turner, Ulmer, Walborn. Total 7.

Excused: Manuel, Tierney. Total 2.

Absent or not voting: Kendall, Kessner, Lundgren, Roberts, Schye. Total 5.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Turman in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:



That Senate Bill No. 139 be moved below Senate Bill No. 404.

That Senate Bill No. 182 be concurred in (72-12).

That Senate Bill No. 242 be concurred in (75-3).

That Senate Bill No. 276 be amended in the title on page 1, line 12 by inserting “; and providing an effective date” after the word “DISTRICT”, and (82-1)

Be further amended in Section 3 on page 4, line 2, of the Senate Third Reading and Introduced Bill, by striking the words “[owner of property]” and inserting in lieu thereof the words “qualified elector” and

Further amend on page 4, line 3 through 5 of the Senate Third Reading Bill and Introduced Bill, by striking the following material: “[and whose name appears as such property owner upon the last completed assessment role of the county]” and (55-23)

Be further amended in Section 4, page 5, line 15, of the Senate Third Reading Bill, and Introduced Bill, by striking the words “[property owner]” and inserting in lieu thereof the words “qualified elector”, and

Further amended on page 6, line 11, of the Senate Third Reading Bill, and Introduced Bill, by striking the words “[owners of any property]” and inserting in lieu thereof the words “qualified electors” and

Further amend on page 6, line 12, of the Senate Third Reading Bill, and Introduced Bill, through line 15, by striking the following: “[and whose names appear as such property owners upon the last completed assessment role of the county in which the said proposed district is situated shall state or] and (51-24)

Be further amended in Section 5, page 8, line 6, of the Senate Third Reading Bill, and Introduced Bill, by striking the words “[owners of any property within the boundaries of]” and inserting in lieu thereof the words “qualified electors of” and

Further amend on page 8, lines 7 through 10, of the Senate Third Reading Bill, and Introduced Bill, by striking the words “[and whose names appear as such property owners upon the last completed assessment role of the county in which said proposed area to be annexed to the district is situated shall state or]” and (45-28)

Be further amended in Section 8, page 10, line 25, of the Senate Third Reading Bill and Introduced Bill, after the word “the” by inserting the words “qualified electors” and

Further amend on page 11, lines 1 through 4, of the Senate Third Reading Bill and Introduced Bill, by striking the words “[owners of any property within the boundaries of the district whose names appear as such property owners upon the last completed assessment role of the county in which said district is situated]” and (49-27)

Further amend on page 12, after line 15, of the Senate Third Reading and Introduced Bill, by inserting the following new Section:

“Section 9. This act is effective on its passage and approval.” (58-17)

And further amend in Section 6, page 8, lines 23 and 24 of the Senate Third Reading Bill, and Introduced Bill, by striking the words “[an owner of property]” and inserting in lieu thereof the words “resident freeholder” and (74-5)

As amended, be concurred in (74-5).

(Material in brackets denotes cancelled type.)



That Senate Bill No. 436 be concurred in (70-0).

That Senate Bill No. 441 be concurred in (73-1).

That Senate Bill No. 442 be concurred in (66-9).

That Senate Bill No. 456 be concurred in (76-1).

That Senate Bill No. 437 be concurred in (60-26).

That Senate Bill No. 62 be passed for the day.

That Senate Joint Resolution No. 16 be concurred in (68-4).

That Senate Joint Resolution No. 35 be concurred in (82-9).

That Senate Joint Resolution No. 10 be amended in the title by deleting the new material on lines 11 and 12, page 1, of the Third Reading Bill and the words "[found necessary]" on line 13, page 1. (69-7)

And be further amended by deleting all underlined material in the first "WHEREAS", page 1, of the Third Reading Bill, lines 22 and 23 and restoring the deleted material on lines 20, 21 and 22. (55-12)

And be further amended by striking on page 2, line 16, the word "[immediately]" and to delete all the underlined material on lines 17, 18, 19 and 20, and the word "[and]" before the word "direct" and by inserting the word "to" before the word "direct",

And be further amended by striking in line 24, page 2, the words "[immediate program of]" and deleting all of lines 1, 2, 3 and 4, page 3. (53-19)

And, as amended, be concurred in (64-9).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 192 be concurred in (65-3).

That Senate Bill No. 260 be concurred in (73-1).

That Senate Bill No. 353 be concurred in (49-29).

That Senate Bill No. 359 be concurred in (76-0).

That Senate Bill No. 106 be concurred in (56-28).

That House Bill No. 513 do pass (67-8).

That House Resolution No. 12 be adopted (80-0).

That House Bill No. 532 do pass (63-23).

That Senate Bill No. 404 be concurred in (84-0).

That all bills below House Joint Resolution No. 9 be moved to the bottom of the board.

That Senate Amendments to House Joint Resolution No. 9 be concurred in (70-1).

That Senate Amendments to House Bill No. 18 be concurred in (73-1).

That Senate Amendments to House Bill No. 63—that ruling of the Chair was that Senate action was tantamount to concurrence in House Bill No. 63.

That Senate Amendments to House Bill No. 107 not be concurred in (74-9).

That Senate Amendments to House Bill No. 129 be concurred in (68-14).

That Senate Amendments to House Bill No. 142 be concurred in (81-1).

That Senate Amendments to House Bill No. 144 be passed for the day.

That Senate Amendments to House Bill No. 174 be concurred in (79-0).

That Senate Amendments to House Bill No. 229 be concurred in (76-1).

That Senate Amendments to House Bill No. 272 be not concurred in (69-12).

That Senate Amendments to House Bill No. 362 be concurred in (76-2).

That Senate Amendments to House Bill No. 374 be concurred in (77-0).

That Senate Amendments to House Bill No. 400 be concurred in (81-0).

That Senate Amendments to House Bill No. 416 be concurred in (62-19).

That Senate Amendments to House Bill No. 491 be concurred in (83-1).

That Senate Amendments to House Joint Resolution No. 34 be concurred in (83-0).

That Senate Bill No. 139 be amended by striking House Committee on Local Government amendment to Senate Bill No. 139 and,

Further amend on page 2, line 5, following the word "an" by striking the word "[actual]" and inserting in lieu thereof the word "ANNUAL". (68-0).

And, as amended, be concurred in (66-12).

(Material in brackets denotes cancelled type.)

That House Bill No. 578 be amended on page 3, line 5, Section 4, after the word "so." by inserting the following new material: "The commission shall further devise a system of accountability that will accurately measure educational output in relation to financial input." (70-0)

And be further amended on page 3, following line 9, of the Second Reading Bill, by inserting a new Section and renumbering the remaining Sections, new Section to read as follows:

Section 5. The Commission shall, before undertaking other activities, assess the evidence and resulting recommendations made in prior studies relating to post-secondary education in Montana. These studies include, but are not limited to, the Peabody Report, the Flesher Report, the Durham Report, the Regents' Master Plan and various studies by the Legislative Council. (78-0).

And, as amended, do pass (68-19).

That the Committee rise and report.

TURMAN, Chairman

Report adopted.

House Resolution No. 12, introduced by Zimmer, Marks: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council review, recodify, clarify and suggest improvements to the Montana Codes relating to fire department organization, authority, duties, functions and related activities, reporting their findings and recommendations to the Fourty-Fourth Legislative Assembly.

#### REPORTS OF STANDING COMMITTEES

February 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Resolution No. 16 and House Bill No. 97.

QUILICI, Chairman

February 27, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 6 and 150, and House Joint Resolution No. 27.

QUILICI, Chairman

February 27, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended on page 1, line 4, by adding the following Sections to the key line: "69-4808.2, 69-4809.1, 69-4823.", and

Be further amended on page 1, lines 6, 7 and 8 by deleting the words "[add a new Section in Title 69, Chapter 48, R.C.M. 1947; providing for general and special authorization of powers in]" and inserting in lieu thereof the new material "Grant additional powers to", and

Be further amended on page 1, line 10, title, by inserting after the word "enforcement" the word "of", and

Be further amended on page 1, line 11, title, by deleting the words "[requirements for states under]" and inserting in lieu thereof the new material "1972 amendments to", and

Be further amended on page 1, line 12, title, by deleting the words "[amendments of 1972]", and

Be further amended on page 1, line 13, title, by adding after the code "69-4802," the codes "69-4808.2, 69-4809.1 and 69-4823.", and

Be further amended on page 1, line 13, title, after the figures "1947" by deleting the punctuation and words "[, by providing additional definitions]", and

Be further amended by striking all the material after the enacting clause and inserting substitute bill reading as follows:

Section 1. Section 69-4802, R.C.M. 1947, is amended to read as follows:

"69-4802. Definitions. As used in this Chapter, unless the context clearly indicates otherwise:

(1) "Sewage" means water-carried waste products from residences, public buildings, institutions, or other buildings including discharge from human beings or animals together with ground water infiltration and surface water present;

(2) "Industrial waste" means any waste substance from the process of business or industry, or from the development of any natural resource together with any sewage that may be present;

(3) "Other wastes" means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, night soil, oil, tar, chemicals, dead animals, sediment, and all other substances that may pollute state waters;

(4) "Contamination" means impairment of the quality of state waters by sewage, industrial wastes or other wastes creating a hazard to human health;

(5) "Pollution" means such contamination, or other alteration of the physical, chemical or biological properties, of any state waters, as exceeds that permitted by Montana water quality standards, including but not limited to standards relating to change in temperature, taste, color, turbidity, or odor, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any state water as will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to public health, recreation, safety, or welfare, or to livestock, wild animals, birds, fish or other wildlife, provided, however, that any discharge which is permitted by Montana water quality standards is not "pollution" for the purposes of this Chapter.

(6) "Sewerage system" means any device for collecting or conducting sewage, industrial wastes or other wastes to an ultimate disposal point;

(7) "Treatment works" means any works installed for treating or holding sewage, industrial wastes or other wastes;

(8) "Disposal system" means a system for disposing of sewage, industrial, or other wastes and includes sewerage systems and treatment work;

(9) "State waters" means any body of water, irrigation system, or drainage system either surface or underground; this Section shall not apply to irrigation waters where the waters are used up within the irrigation system and said waters are not returned to any other state waters;

(10) "Person" means the state, any political subdivision of the state, institution, firm, corporation, partnership, or individual or other entity;

(11) "Council" means the State Water Pollution Advisory Council created by this act;

(12) "Board" means the State Board of Health;

(13) "Department" means the State Department of Health;

(14) "Executive officer" means the chief administrative officer of the State Department of Health;

(15) "Director" means the director of water pollution control, a position created by this act;

(16) "Local department of health" means the staff, including any health officers, employed by a county, city, city-county, or district board of health;

(17) "Point Source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged;

(18) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a point source;

(19) "Standard of performance" means a standard adopted by the board for the control of the discharge of pollutants which reflects the



greatest degree of effluent reduction achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants;

(20) "Effluent standard" means any restriction or prohibition on quantities, rates and concentrations of chemical, physical, biological and other constituents which are discharged into state waters."

Section 2. Section 69-4808.2, R.C.M. 1947, is amended to read as follows:

"69-4808.2. Duties of board of health. (1) The board shall:

(a) establish and modify the classification of all waters in accordance with their present and future most beneficial uses;

(b) formulate standards of water purity and classifications of water according to its most beneficial uses, giving consideration to the economics of waste treatment and prevention;

(c) review from time to time, at intervals of not more than three years, established classifications of waters and standards of water purity and classification, provided that

(1) such classifications, standards, and rules as have been adopted by the State Water Pollution Control Council under Section 133, Chapter 197, of the Laws of 1967 (69-4813) shall be deemed, without necessity of a hearing, to have been initially adopted by the board;

(2) in revising classifications or standards or in adopting new classifications or standards the board may not so formulate standards of water purity or classify any state water as to lower any water quality standard applicable to any state water below the level applicable under the classifications and standards adopted by the State Water Pollution Control Council under Section 133, Chapter 197 of the Laws of 1967 (69-4813).

(3) the board shall require that any state waters whose existing quality is better than the established standards as of the date on which such standards become effective be maintained at that high quality unless it has been affirmatively demonstrated to the board that a change is justifiable as a result of necessary economic or social development and will not preclude present and anticipated use of such waters, and

(4) the board shall require any industrial, public, or private project or development, which would constitute a new source of pollution or an increase source of pollution to high quality waters, referred to in (3) immediately above, to provide the degree of waste treatment necessary to maintain that existing high water quality;

(d) advise, consult, and cooperate with other state and federal agencies, affected groups, political subdivisions, and industries in the formulation of a comprehensive plan to prevent and control pollution;

(e) make rules governing application for permits to discharge sewage, industrial wastes, or other wastes into state waters including rules requiring the filing of plans and specifications relating to the construction, modification, or operation of disposal systems;

(f) make rules governing the issuance, denial, modification, or revocation of permits, provided, however, that:

(1) the rules shall allow the issuance or continuance of a permit only if the department finds that operation consistent with the limitations of the permit will not result in pollution of any state waters, except that

(2) the rules may allow the issuance of a temporary permit under which pollution may result, for a period no longer than three years and subject to no extension, if the department finds that the issuance of such a permit is proper for obtaining compliance with the applicable standards, that

(3) the rules shall provide that the department may revoke any permit if the department finds that the holder of the permit has violated its terms, unless the department also finds that the violation was accidental and unforeseeable and that the holder of the permit corrected the condition resulting in the violation as soon as was reasonably possible; and that

(4) any person introducing a new source or increased source of sewage, industrial waste, or other wastes as defined in Section 69-4802 (1), (2), and (3), R.C.M. 1947, to waters and tributaries of waters classified as A—open—D—1 or higher by the board shall be required to install and maintain the highest and best degree of treatment works necessary to maintain adequately said classification, as defined in Section 69-4802 (7), R.C.M. 1947, prior to the issuance of a permit by the department;

(g) hold any hearings necessary for the proper administration of this Chapter;

(h) make rules for the administration of this Chapter;

(i) bring actions in court for the enforcement of this Chapter, and

(j) promulgate and adopt pretreatment standards for wastewater discharged into a municipal disposal system, promulgate and adopt effluent standards as defined in Section 69-4802 (20), and establish standards of performance for new point source discharges.

(2) The board may:

(a) accept loans and grants from the federal government and from other sources to carry out the provisions of this Chapter; and

(b) establish minimum requirements for the treatment of wastes.

Section 3. Section 69-4809.1, R.C.M. 1947, is amended to read as follows:

“69-4809.1. Duties of department of health. (1) the department shall:

(a) issue, suspend, revoke, modify, or deny permits to discharge sewage, industrial wastes, or other wastes to state waters, consistently with rules made by the board;

(b) examine and approve or disapprove plans and other information needed to determine whether a permit should be issued or suggest changes in plans as a condition to the issuance of a permit;

(c) clearly specify in any permit any limitations imposed as to the volume, strength, and other significant characteristics of the waste to be discharged;

(d) collect and furnish information relating to the prevention and control of water pollution; and

(e) conduct or encourage necessary research and demonstrations concerning water pollution.

(f) issue orders to any person to clean up any material which he or his employee, agent, or subcontractor has accidentally or purposely dumped, spilled, or otherwise deposited in or near state waters and which may pollute them.

Section 4. There is a new Section to be numbered 69-4809.2, R.C.M. 1947, which reads as follows:

"69-4809.2. Power to inspect and monitor—authority. (1) In order to carry out the objectives of this act and to effectively monitor the discharge of sewage, industrial wastes and other wastes into state waters, the department may require the owner or operator of any point source to:

- (a) establish and maintain records;
- (b) make reports;
- (c) install, use and maintain monitoring equipment or methods, including biological monitoring techniques;
- (d) sample effluents using specified monitoring methods at designated locations and intervals;
- (e) provide other information as may be reasonably required by the department.

(2) The authorized representative of the department, upon presentation of his credentials, may at reasonable times enter upon any public or private property and have access to and copy any records required under this act, inspect any monitoring equipment or method required under Subsection (1) (c), and sample any effluents which the owner or operator of such source is required to sample under that Subsection.

(3) Any records, reports or information obtained under this Section shall, in the case of effluent data, be related to any applicable effluent limitations, toxic, pretreatment, or new source performance standards."

Section 5. There is a new Section to be numbered 69-4820.1, R.C.M. 1947, which reads as follows:

"69-4820.1. Additional enforcement remedies. (1) In addition to all other remedies created by this act, the department is authorized to take appropriate enforcement action to:

- (a) prevent, abate, and control the pollution of state waters;
- (b) prevent, abate, and control any violation of a condition or limitation imposed by a permit issued under Section 69-4806, R.C.M. 1947;
- (c) prevent, abate, and control any violations of regulations relating to pretreatment standards.

(2) Any person violating a condition, limitation, standard or other requirement established pursuant to this Section may be served with a compliance order issued by the department. Such order must specify the condition, limitation, standard or other requirement violated and must set a time for compliance. However, in establishing a time for compliance, the department shall take into account the seriousness of the violation, and any good faith efforts that have been made to comply with the condition, limitation, standard or other requirement that has been violated. The compliance order issued under this Section shall be personally served by an authorized employee of the department.

(3) The department is authorized to commence a civil action seeking appropriate relief, including a permanent or temporary injunction, for any violation which would be subject to a compliance order under Subsection (2) of this Section. Any action under this Subsection may be commenced in the district court of any county in which the defendant is located or resides or is doing business, and the court shall have jurisdiction to restrain such violation and to require compliance.

(4) Any person found to be in violation of a condition, limitation, standard or other requirement established pursuant to this Section shall be subject to the penalty provisions of Section 69-4823, R.C.M. 1947.



(5) For the purpose of this Subsection, the term "person" shall mean, in addition to the definition contained in Section 69-4802, R.C.M. 1947, any responsible corporate officer.

Section 6. Section 69-4823, R.C.M. 1947, is amended to read as follows:

"69-4823. Penalties for violation of a provision, rule, permit, effluent standard or order—purpose and construction of Chapter. (1) A person who violates any [provision of this Chapter other than Section 16 of this act, or any] rule, permit, effluent standard, or order issued pursuant to the provisions of this act [is] shall be subject to a [fine] civil penalty not to exceed [one] ten thousand dollars [(\$1,000)] (\$10,000). Each day of a violation constitutes a separate offense.

(2) [Any] A person who wilfully violates Section [16] 69-4806, R.C.M. 1947, or any pretreatment standard established pursuant to this act is guilty of an offense and subject to a fine not to exceed [one] twenty-five thousand dollars [(\$1,000)] (\$25,000) per day of violation, or by imprisonment for not more than one year or both.

Following an initial conviction under this Subsection, subsequent convictions shall subject a person to a fine of not more than fifty thousand dollars (\$50,000) per day of violation, or imprisonment for not more than two (2) years, or both.

(3) Action pursuant to Subsection (1) of this Section does not bar enforcement of this Chapter or of rules or orders issued pursuant to it by injunction or other appropriate remedy. The board shall institute and maintain any and all such enforcement proceedings in the name of the state.

(4) A purpose of this Chapter is to provide additional and cumulative remedies to prevent, abate and control the pollution of state waters. This Chapter shall not be construed to abridge or alter rights of action or remedies in equity or under the common law or statutory law to suppress nuisances or to abate pollution.

(5) All fines collected shall be deposited to the credit of the department, to be used to alleviate pollution for which no person subject to action by the department or board is responsible.

(6) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained under this act or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under this act shall upon conviction be punished by a fine of not more than ten thousand dollars (\$10,000), or by imprisonment for not more than six (6) months, or both.

(7) In a civil action initiated by the department under this act, the department may ask for and the court is authorized to assess a violator for the cost of the investigation or monitoring survey which led to the establishment of the violation, and any expense incurred by the state in removing, correcting or terminating any of the adverse effects upon water quality resulting from the unauthorized discharge of pollutants."

Section 7. There is a new Section to be numbered 69-4824.1, R.C.M. 1947, which reads as follows:

"69-4824.1. Additional emergency powers. Notwithstanding any other provisions of this act, the department upon receipt of evidence that a pollution source or combination of sources is endangering the health, welfare, or livelihood of a person may bring suit in the district court of any county in which the defendant is located or resides or is doing business to enjoin the discharge of pollutants causing or contributing to the alleged pollution."



And, as amended, do pass.

HALL, Chairman

(Material in brackets denote cancelled type.)

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 195, respectfully report as follows: That Senate Bill No. 195 be amended on page 1, line 11, Section 1, of the Third Reading and Introduced Bill, after the number and punctuation "1." by striking "[As used in Chapter 43]" and inserting in lieu thereof "There is added to Chapter 43, Title 16, R.C.M. 1947, a new Section, reading as follows: "As used in this Chapter", and

Further amend on page 1, Section 1, line 15, after the word and punctuation "infirmaries." by inserting "("" to end the quoted material for Section 1, and

As amended, be concurred in.

LEE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be concurred in.

LEE, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 408, respectfully report as follows: That Senate Bill No. 408 be amended on page 1, in the title of the Third Reading and Introduced Bill, line 10, after the word "services" by inserting a comma ",", and

Further amend on page 1, in the title, line 11, by striking the word "[or]" at the beginning of the line, and

Further amend on page 1, in the title, line 11, after the word "affiliate" by striking "[rather than to]" and inserting in lieu thereof "and", and

Further amend on page 2, line 7, by striking "[be brought to bear on the situation in an effort]" and inserting in lieu thereof "seek", and

Further amend on page 3, Section 2, line 24, after the word "services" by striking the word "[or]" and inserting in lieu thereof ",", and

Further amend on page 3, Section 2, line 25, after the word "affiliate," by striking "[the social services unit]" and inserting in lieu thereof "and the county attorney", and

Further amend on page 4, Section 2, line 1, by striking "[welfare department]",

And further amend on page 5, Section 3, line 19, after "department" by striking "[further has the responsibility of advising]" and inserting in lieu thereof "will advise", and

Further amend on page 5, Section 3, line 20, after "investigation" by striking "[and if further action is necessary, (1) refer the case to the

county attorney for prosecution, (2) file a petition of neglect in the district court.]" and insert in lieu thereof ".", and

And, as amended, be concurred in.

LEE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 34, respectfully report as follows: That Senate Joint Resolution No. 34 be concurred in.

LEE, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 209, respectfully report as follows: That Senate Bill No. 209 be not concurred in.

LEE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lockrem, Lombardi, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Cox, Holmes, Olson, Tierney. Total 4.

Excused: None:

Absent or not voting: Ainsworth, Baucus, Bennetts, Colberg, Edland, Ellerd, Fleming, Haines, H. Harper, Kvaalen, Laas, Lien, Lucas, Lundgren, Lynch, Menahan, Nichols, Norman, Prevost, Quilici, Roberts, Schye, Selstad, Smith, Walborn, Zimmer. Total 26.

February 27, 1973

Mr. Speaker: We, your majority Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 233, respectfully report as follows: That Senate Bill No. 233 be amended on page 3, Section 1, Subsection (c), line 19, after "(15)" by striking "[feet meters]" and inserting in lieu thereof "feet", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE  
OLSON  
JONES  
DRISCOLL  
BROWN  
TURNER

February 27, 1973

Mr. Speaker: We, your minority Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 233, respectfully report as follows: That Senate Bill No. 233 be amended on page 3, Section 1, Subsection (c), line 19, after "(15)" by striking "[feet meters]" and inserting in lieu thereof "feet", and

As amended, be not concurred in.

(Material in brackets denotes cancelled type.)

HALL  
BENNETTS  
MARBUT  
HOLMES

Lee moved for adoption of the majority committee report.

As a substitute motion, Hall moved that Senate Bill No. 233 be laid on the table until the next Legislative Day.

Motion carried.

February 27, 1973

I have examined House Bill No. 175 introduced by me and find the same to be correct.

BRAND

February 26, 1973

I have examined House Bill No. 19 introduced by me and find the same to be correct.

AINSWORTH

February 27, 1973

I have examined House Bill No. 150 introduced by me and find the same to be correct.

STAIGMILLER

February 27, 1973

I have examined House Bill No. 325 introduced by me and find the same to be correct.

LIEN

February 27, 1973

I have examined House Bill No. 269 introduced by me and find the same to be correct.

BELL

February 27, 1973

I have examined House Bill No. 210 introduced by me and find the same to be correct.

LYNCH

February 27, 1973

I have examined House Bill No. 148 introduced by me and find the same to be correct.

HAGER

February 27, 1973

I have examined House Bill No. 381 introduced by me and find the same to be correct.

HALL

February 27, 1973

I have examined House Bill No. 377 introduced by me and find the same to be correct.

HALL

February 27, 1973

I have examined House Bill No. 378 introduced by me and find the same to be correct.

HALL

February 27, 1973

I have examined House Bill No. 318 introduced by me and find the same to be correct.

HALL

February 27, 1973

I have examined House Bill No. 379 introduced by me and find the same to be correct.

HALL

February 6, 1973

I have examined House Bill No. 6 introduced by me and find the same to be correct.

GERKE

February 27, 1973

I have examined House Joint Resolution No. 27 introduced by me and find the same to be correct.

STOLTZ

The Speaker signed the following House Bills in open session: House Bills Nos. 175, 19, 150, 325, 269, 210, 148, 381, 377, 378, 318, 379, 6 and House Joint Resolution No. 27.

## MESSAGES FROM THE SENATE

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House of Representatives and is herewith returning Senate Bill No. 273 for further consideration.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Motion this day, duly carried, the Senate requests the return of House Bill No. 82 for the purpose of reconsideration by the Senate.

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Conference Committee



to meet with a like Committee from the Senate on Senate Amendments to House Bill No. 107.

Motion carried.

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate on Senate Amendments to House Bill No. 272.

Motion carried.

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Bill No. 389.

Motion carried.

Shelden moved that Senate Bill No. 443 be taken from Second Reading and be rereferred to Committee on Natural Resources.

Motion carried.

Bradley, having voted on the prevailing side on an adverse committee report on Senate Bill No. 159, moved that the House reconsider its action.

Motion carried.

Bradley moved that Senate Bill No. 159 be placed on Second Reading.

Motion carried.

The Speaker appointed the following Conference Committees:

Senate Bill No. 147—Staigmiller, Bradley, Clemow

Senate Bill No. 115—Baeth, Flynn, East

Senate Bill No. 121—Baeth, Flynn, East

Fasbender moved that the House adjourn until 1:00 p.m., February 28, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## FIFTY-FIRST LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
February 28, 1973

House convened, pursuant to adjournment, at 1:00 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Stephens, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 50th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

February 28, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 506.

FLEMING, Vice Chairman

February 28, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 166.

FLEMING, Vice Chairman

February 28, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 11, 59, 70, 114, 172, 182, 215, 376, 380 and 382, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock, p.m., delivered to the Governor for his approval.

FLEMING, Vice Chairman

February 27, 1973

Mr. Speaker: We, your majority Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 233, respectfully report as follows: That Senate Bill No. 233 be amended on page 3, section 1, subsection (c), line 19 after "(15)" by striking "[feet-meters]" and inserting in lieu thereof "feet".

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE, Chairman

OLSON

JONES

DRISCOLL

BROWN

TURNER

February 27, 1973

Mr. Speaker: We, your minority Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 233, respectfully report as follows: That Senate Bill No. 233 be amended on page 3, section 1, subsection (c), line 19 after "(15)" by striking "[feet-meters]" and inserting in lieu thereof "feet".

And as amended, be not concurred in.

(Material in brackets denotes cancelled type.)

HALL, Chairman

BENNETTS

MARBUT

HOLMES

Lee moved for the adoption of the majority committee report.

Hall moved, as a substitute motion, that Senate Bill No. 233 be not concurred in.

Haines moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Ainsworth, Bardanoue, Baucus, Bennetts, Bradley, Castles, Colberg Cox, Fagg, Fasbender, Gunderson, Hageman, Haines, Hall, Hodges, Holmes, Jacobsen, Kimble, Kvaalen, McKittrick, Marbut, Mercer, Murphy, Norman, Roberts, Schye, Seifert, Staigmiller, Stoltz, Swanberg, Tierney, Turman, Watt, Zimmer. Total 34.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Campbell, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Sheldon, Smith, Towe, Turner, Ulmer, Walborn, Warfield, Yardley. Total 59.

Excused: Stephens. Total 1.

Absent or Not Voting: Burnett, Greely, Halvorson, Lockrem, Lucas, Mr. Speaker. Total 6.

Thereupon, the majority committee report was adopted.

The Speaker signed in open session Senate Bills Nos. 6, 9, 50, 57, 59, 63, 90, 95, 105, 116, 117, 118, 119, 120, 150, 160, 186, 193, 221, 224, 225, 232, 270, 291, 98, 78, 73, 43, 32 and Senate Joint Resolutions Nos. 19, 22, 40 and 26, and Senate Bills Nos. 297, 307, 321, 323, 324, 329, 334, 372, 390, 424, 417, 402, 384, 357, 234, 222 and 100.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 28, respectfully report as follows: That Senate Joint Resolution No. 28 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 370, respectfully report as follows: That Senate Bill No. 370 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 365, respectfully report as follows: That Senate Bill No. 365 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We your Committee on Highways and Transportation, having had under consideration Senate Bill No. 369, respectfully report as follows: That Senate Bill No. 369 be amended on page 2, section 1, line 3 through 5, of the Senate Third Reading Bill, by reinstating all the following deleted material: "A discharge in bankruptcy following the rendering of any such judgment shall not relieve the judgment debtor from any of the requirements of this act."

And as amended, be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 380, respectfully report as follows: That Senate Bill No. 380 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 362, respectfully report as follows: That Senate Bill No. 362 be amended on page 4, section 1, beginning on line 23, of the Senate Third Reading Bill, by inserting a new subsection 4 to read as follows:

"(4) All construction, reconstruction, maintenance and repair authorized herein shall be pursuant to the design and subject to the supervision of the state highway commission, and all funds hereby allocated to counties, cities and towns shall be disbursed by the state highway commission to the lowest responsible bidder according to the bidding procedures specified in Chapter 41, Title 32 of this code except that not more than seven thousand five hundred dollars (\$7,500) of the funds allocated each fiscal year to any county, incorporated city and town may be expended without being submitted to bids."

And be further amended to renumber all subsequent subsections to conform numerically,

And as amended, be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be not concurred in.

LAAS, Chairman

Watt moved, as a substitute motion, that Senate Bill No. 97 be printed and placed on Second Reading. Watt requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Ellerd moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bell, Colberg, Driscoll, Fasbender, Flynn, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, Holmes, Holtz, Kendall, Kimble, Marbut, Mehrens, Menahan, Norman, Quilici, Regan, Stoltz, Swanberg, Turman, Turner, Watt, Yardley. Total 31.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Gunderson, Halvorson, R. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mercer, Murphy, Nichols, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Tierney, Towe, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 66.

Excused: Stephens. Total 1.

Absent or Not Voting: Huennekens, Schye. Total 2.

Thereupon, the committee report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Galt, Glennen, Gunderson, Hageman, Halvorson, Forsgren, R. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Tierney, Towe, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 73.



Noes: Ainsworth, Baucus, Bell, Driscoll, Fasbender, Flynn, Hager, Haines, Hall, H. Harper, Holmes, Holtz, Kendall, Kimble, Marbut, Norman, Quilici, Regan, Stoltz, Swanberg, Turman, Turner, Watt, Yardley. Total 24.

Excused :Stephens. Total 1.

Absent or Not Voting: Greely, Huennekens. Total 2.

February 28, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be concurred in.

YARDLEY, Vice Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be amended on page 3, line 17 of the Senate Third Reading and Introduced Bill after the word and punctuation "predecessor." by inserting the new material "In counties of the first class the county commissioners may if they deem that the work load of the justices of peace so warrants establish additional justice courts in the county. Such additional justices of the peace shall have the same qualifications, shall be elected in the same manner, and have the same term as the original justice in the county. Provided, however, that the county commissioners may abolish any such court upon the end of the term of the justice holding such office and all unfinished business shall be transferred to another justice court in that county.", and

Be further amended on page 3, section 4, lines 18, 19, and 20 of the Senate Third Reading and Introduced Bill by deleting all of the material "[ (2) A justice of the peace shall be nominated and elected on the non partisan judicial ballot in the same manner as are judges of the district court.]", and

Be further amended on page 3, section 4, line 25 and continued over to page 4, section 4, lines 1 through 3 of the Senate Third Reading and Introduced Bill by deleting after the word and punctuation "elected." the material "[A candidate may not file for more than one (1) office. Section 23-4511 prohibiting political party endorsement for judicial officers shall also apply to justices of the peace.]", and

Be further amended on pages 3 and 4, Section 4 of the Senate Third Reading and Introduced Bill by renumbering the subsections following subsection (1), and

Be further amended on page 4, section 4, subsection (b), lines 14 and 15 of the Senate Third Reading and Introduced Bill by deleting subsection (b) in its entirety, and

Be further amended on page 4, section 4, subsection (c), line 16 of the Senate Third Reading and Introduced Bill after the word "completed" by inserting the new material, "within preceeding six years,", and

Be further amended on page 4, section 4, subsection (c), line 19 of the Senate Third Reading and Introduced Bill after the word "is" by inserting the new material "elected or", and

Be further amended on page 5, section 5, lines 9 and 10 of the Senate Third Reading and Introduced Bill after the word and punctuation "services," by deleting the material "[not exceeding one hundred dollars per annum,]", and

Be further amended on page 5, section 6, line 18 of the Senate Third Reading and Introduced Bill by deleting the words "[justice holding the same.]" and inserting in lieu thereof the new material "county commissioners".

And as amended, be concurred in.

HALL, Chairman

Report adopted.

February 27, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be amended as follows in the Senate Third Reading Bill:

Amend the title on page 1, line 11 following the word and punctuation "clay," by striking the word and punctuation "[Bentonite,]"

Amend the title on page 1, line 13 after the punctuation";" and before the word "repealing" to add the following words and punctuation "Providing for affected acre fees; Providing for the termination of reclamation contracts entered into under Chapter 245, Laws of Montana, 1967;"

Amend page 25, Section 3, subsection (1), line 7 following the word and punctuation "Clay," by striking the word and punctuation "[Bentonite,]"

Amend page 27, Section 3, subsection (15), line 22 by adding a new subsection as follows "(16) 'Contour strip mining' means that strip mining method commonly carried out in areas of rough and hilly topography in which the coal or mineral seam outcrops along the side of the slope and entrance is made to the seam by excavating a bench or table cut at and along the site of the seam outcropping with the excavated overburden commonly being cast down the slope below the mineral seam and the operating bench;"

And further amend page 27, Section 3, subsection (16), line 23 by renumbering subsection "[ (16) ]" to read "(17)"

And further amend page 27, Section 3, subsection (17), line 25 by renumbering subsection "[ (17) ]" to read "(18)"

And further amend page 28, Section 3, subsection (17), line 2 following the word "Section" by adding the following words " as formed in the contour method of strip mining"

And further amend page 28, Section 3, subsection (18), line 3 by renumbering subsection "[ (18) ]" to read "(19)"

And further amend page 28, Section 4, subsection (3), line 17 by striking the word "[May]" and inserting in lieu thereof the word "Shall"

And further amend page 28, Section 4, subsection (4), line 20 by striking the word "[May]" and inserting in lieu thereof the word "Shall"

And further amend page 29, Section 5, subsection (5), line 12 by striking the word "[May]" and inserting in lieu thereof the word "Shall"

And further amend page 29, Section 5, subsection (5), line 12 following the word "Investigations" by striking the word "[or]" and inserting in lieu thereof the word "and"

And further amend page 29, Section 5, subsection (5), lines 12 and 13 following the word "Inspections" by striking the words "[Which are considered]"

And further amend page 30, Section 6, subsection (1), line 1 following the word "Application" and before the word "For" by adding the following words "and designated in the permit"

And further amend page 30, Section 6, subsection (1), line 2 following the word "Issuance" by striking the word "[and]" and inserting in lieu thereof the following punctuation and words ". Such Permit"

And further amend page 30, Section 6, subsection (1), line 3 following the word "Thereafter" and before the word "So" by adding the words "upon application to the department at least thirty (30) but not more than sixty (60) days prior to the renewal date"

And further amend page 30, Section 6, subsection (1), line 4 following the word "act" and before the word "and" by adding the punctuation and words ", the rules hereunder, and the reclamation plan provided for in Section Ten (10) of this act,"

And further amend page 30, Section 6, subsection (1), line 5 following the word "renewal" by striking the punctuation "[:]" and inserting in lieu thereof the following punctuation and words ". Such renewal shall further be subject to the denial provisions of Section Nine (9) and Thirteen (13) of this act."

And further amend page 30, Section 6, subsection (6), line 6 by renumbering subsection "[ (6) ]" to read subsection "(2)"

And further amend page 30, Section 6, subsection (6), line 9 following the word "affected" and before the punctuation "." by inserting the following words "by the operation"

And further amend page 30, Section 6, subsection (6), subparagraph (B), line 18 by striking the words "[the owner]" and inserting in lieu thereof the words "The names and addresses of the owners of record"

And further amend page 30, Section 6, subsection (6), subparagraph (B), line 19 following the words "and the" by striking the word "[owner]" and inserting in lieu thereof the following words "owners of record"

And further amend page 30, Section 6, subsection (6), subparagraph (B), line 20 by striking the words and figures "[Five Hundred (500) feet]" and inserting in lieu thereof the following words and figures "one-half (.5) mile"

And further amend page 30, Section 6, subsection (6), subparagraph (C), line 22 by striking all of the material contained therein and inserting in lieu thereof the following words and punctuation "The names and addresses of the present owners of record of all subsurface minerals in the land to be affected;"

And further amend page 31, Section 6, subsection (6), subparagraph (G), line 11 following the word "certify" by striking the punctuation "[,]" and inserting in lieu thereof the following punctuation and words ", and whether any of the foregoing parties or persons have ever had a strip mining license or permit issued by any other state or federal agency revoked, or have ever forfeited a strip mining bond or a security deposited in lieu of a bond and if so, a detailed explanation of the facts involved in each case must be attached."

And further amend on page 31, Section 6, subsection (6), subparagraph (H), lines 12 and 13, by striking all the material therein and inserting in lieu thereof the following words and punctuation "The names and addresses of any persons who are engaged in strip mining activities on behalf of the applicant;"

And further amend on page 31, Section 6, subsection (6), subparagraph (H), following line 13 to add a new subsection to read as follows "(I) The annual rainfall and the direction and average velocity of the prevailing winds in the area where the applicant has requested a permit;"

And further amend on page 31, Section 6, subsection (6), subparagraph (H), following line 13 by adding a new subsection to read as follows "(J)



The results of any test borings or core samplings which the applicant or his agent has conducted on the land to be affected, including the nature and the depth of the various strata or overburden and topsoil, the quantities and location of subsurface water and its quality, the thickness of any mineral seam, an analysis of the chemical properties of such minerals, including the acidity, sulphur content, and trace mineral elements of any coal seam, as well as the British Thermal Unit (B.T.U.) content of such seam, and an analysis of the overburden, including topsoil. If test borings or core samplings are submitted, each permit application shall contain two (2) copies each of two (2) sets of geologic cross-sections accurately depicting the known geologic makeup beneath the surface of the affected land. Each set shall depict subsurface conditions at five hundred (500) foot intervals across the surface and shall run at a ninety (90) degree angle to the other set. Each cross-section shall depict the thickness and geological character of all known strata beginning with the topsoil."

And further on page 31, section 6, subsection (6) subparagraph (H) following line 13 by adding a new sub-section to read as follows: "(K) the name and date of a daily newspaper of general circulation within the county in which the applicant has prominently published an announcement of his application for a strip mining permit, and a detailed description of the area of land to be affected should a permit be granted;"

And further amend page 31, section 6, sub-section (6) subparagraph (H) following line 13 by adding a new subsection to read as follows: "(L) such other or further information as the department may require."

And further amend page 31, section 6, sub-section (3) line 15 by striking the words "[A map]" and inserting in lieu thereof the words "all maps"

And further amend page 31, section 6, sub-section (3) line 16 by striking the word "[Map]" and inserting in lieu thereof the word "maps"

And further amend page 31, section 6, sub-section (3) subparagraph (B) line 20 following the word "owners" by inserting the words "of record"

And further amend page 31, section 6, sub-section (3) subparagraph (B) line 21 following the word "within" by striking the words and figures "[Five Hundred (500)]" and inserting in lieu thereof the following words and figures "one thousand (1000)"

And further amend page 32, section 6, sub-section (3) subparagraph (C) line 1 by striking the words and figures "[Five Hundred (500)]" and inserting in lieu thereof the words and figures "one thousand (1000)"

And further amend page 32, section 6, sub-section (3) subparagraph (I) lines 18, 19, 20 by striking all of the material following the word "holes" on line 18 and before the ";" on line 20.

And further amend page 32, section 6, sub-section (3) subparagraph (J) line 22 following the word "which" by striking the words "[may be required by the department]" and inserting in lieu thereof the words "have been submitted", and

And further amend page 32, section 6, sub-section (3) subparagraph (J) following line 22 by adding a new subsection to read as follows: "(K) Show a listing of plant varieties encountered in the area to be affected and their relative dominance in the area, together with an enumeration of tree varieties and the approximate number of each variety occurring per acre on the area to be affected, and the locations generally of the various kind and varieties of plants, including but not limited to grasses, shrubs, legumes, forbs and trees;"

And further amend page 32, section 6, sub-section (3) subparagraph (K), line 23 by relettering subsection "[ (K) ]" to read subsection "(L)"



And further amend page 33, section 6, subsection (3) subparagraph (L), line 4 by relettering subsection “[L)”]” to read subsection “(M)”

And further amend page 33, section 6, subsection (4), line 12 by striking the words “[affected area]” and inserting in lieu thereof the words “area affected by the operation”

And further amend page 33, section 6, subsection (5), line 14 following the figure and punctuation “(\$50)” by striking all material through the word “year” in line 24.

And further amend page 34, section 6, subsection (5), line 13 following the word “required” by striking in its entirety all of the words and punctuation through line 17.

And further amend page 34, section 6, subsection (5), line 13 following the word “required” by adding the following punctuation and words “; but in no event shall the bond be less than the total estimated cost to the state of completing the work described in the reclamation plan”

And further amend page 36, section 8, subsection (2), line 12 following the word “drilled” by adding the following words “methods to be used in sealing aquifers”

And further amend page 38, section 9, subsection (2), lines 11 and 12 following the word “would” by striking the words and punctuation “[to a significant degree,]”

And further amend page 40, section 10, subsection (1), line 14 following the word “property.” by adding the following words, figures and punctuation “The reclamation plan shall set forth in detail the manner in which the applicant intends to comply with this Section and Sections Eleven (11), Twelve (12), and Thirteen (13) of this act.”

And further amend on page 41, section 10, subsection (2), subparagraph (C), line 19 following the word “of” by striking the words “[streams and other]” and inserting in lieu thereof the following words “surface and sub-surface”

And further amend page 41, section 10, subsection (2), subparagraph (D), line 20 following the word “remove” by adding the words “or bury”

And further amend page 42, section 11, subsection (1) line 17 by striking in its entirety through line 22 and inserting in lieu thereof the following words and punctuation “twenty (20) degrees from the horizontal. High-wall reduction shall be commenced at or beyond the top of the highwall and sloped to the graded spoil bank. Reduction, backfilling and grading shall eliminate all highwalls and spoil peaks. The area of land affected shall be restored to the approximate original contour of the land.”

And further amend page 43, section 11, subsection (4), line 20 following the word and punctuation “topsoiling,” by striking the word “[and]”

And further amend page 43, section 11, subsection (4), line 20 following the word “planting” by adding the following punctuation and words “, and revegetation”

And further amend page 44, section 11, subsection (5), line 1 following the word “release” by adding the words “so much of”

And further amend page 44, section 11, subsection (5), line 2 following the word “operation” by striking the words “[in its full amount less]” and inserting in lieu thereof the words and punctuation that follows “as the commissioner may determine, provided that no less than”

And further amend page 44, section 11, subsection (5), line 3 following the word “acre” by striking the punctuation and word that follows “[, which]”

And further amend page 44, section 11, subsection (5), line 7 following the word "amount" by striking the words "[of two hundred dollars (\$200) per acre]" and inserting in lieu thereof the punctuation ".".

And further amend on page 44, section 11, subsection (6), line 17 following the word and punctuation "board." by adding the following words and punctuation "an operator who proposes alternative plans that will affect an existing permit shall comply with the notice requirement of section 6 (2) (K)."

And further amend page 45, section 14, subsection (1) lines 23 and 24 by striking the words "[when the planting of a permit area is completed,]" and inserting in lieu thereof the following words, figures and punctuation "at least sixty (60) days prior to the date of each permit expiration,"

And further amend page 46, section 14, subsection (3), line 16 following the word "reclaimed" by adding the following words "after public notice and an opportunity for a hearing; but in no event shall such remaining bond be released prior to a period of five (5) years from the initial planting provided for in section 12 of this act"

And further amend page 46, section 15, line 20 following the word and punctuation "landowner," by adding the following words and punctuation "after complete release of the bond,"

And further amend page 46, section 16, line 22 following the word "after" by striking the word "[the]" and inserting in lieu thereof the word "each"

And further amend page 46, section 16, line 23 following the word "shall" by adding the word "annually"

And further amend page 47, section 17, lines 18 and 19 following the words "has not" by striking the words "[reached an agreement with the department or has not]"

And further amend page 48, section 17, subsection (2) line 8 following the word "sum" by adding the words and punctuation "together with the value of the bond,"

And further amend on page 49, section 19, subsection (1) line 4 following the word "by", strike the word "[strip]" and insert in lieu thereof the word "any"

And further amend page 50, section 22, subsection (2) line 17 following the word "if" by striking the word "[satisfied]" and inserting in lieu thereof the words "it finds"

And further amend page 50, section 22, subsection (2) line 19 by striking the word "[may]" and inserting in lieu thereof the word "shall"

And further amend page 53, section 27, lines 3 through 9 by striking them in their entirety and inserting in lieu thereof the following words, punctuation, figures and sections: "Section 27. Every operator shall within ninety (90) days after the effective date of this act file with the department an application for a permit.

Section 28. Ninety (90) days after the effective date of this act, the state shall proceed to cancel, according to their terms, all existing contracts entered into pursuant to Chapter 245, Laws of Montana, 1967. If the contract does not provide according to its terms, for the cancellation, it shall be terminated and void within two hundred seventy (270) days from the effective date of this act.

Section 29. This act shall be effective immediately on passage and approval."

And as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 304, respectfully report as follows: That Senate Bill No. 304 be concurred in.

MEHRENS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 435, respectfully report as follows: That Senate Bill No. 435 be concurred in.

MEHRENS, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 410, respectfully report as follows: That Senate Bill No. 410 be not concurred in.

KOSENSA, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staig-miller, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 67.

Noes: Barrett, Hall, H. Harper, Lien, McKittrick, Marbut, Regan, Tierney. Total 8.

Excused: Stephens. Total 1.

Absent or not voting: Asbjornson, Brown, Colberg, Cox, Ellerd, Fasbender, Galt, Greely, R. Harper, Holmes, Huennekens, Jacobsen, Kimble, Lucas, Lundgren, Lynch, Olson, Quilici, Rolfe, Selstad, Towe, Warfield, Yardley, Zimmer. Total 24.

February 28, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 338, respectfully report as follows: That Senate Bill No. 338 be amended as follows:

Amend on page 8, line 6 of the Senate Third Reading bill and the Introduced bill by striking the word "[as]" and inserting in lieu thereof the word "from",

And as so amended, be concurred in.

KOSENSA, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 214, respectfully report as follows:

That Senate Bill No. 214 be amended as follows:

On page 5, line 6 of the Senate Third Reading bill and not in the introduced bill delete "[upon the]", delete all of lines 7 and 8, and on line 9 delete "[official newspaper of the municipality]" and

Further amend on page 5, line 11, delete the comma "[,]" and insert in lieu thereof a period "(.)" and

Further amend on page 5, lines 12 through 20 to be deleted in its entirety and insert in lieu thereof the following language: "If the governing body finds such protests to have been signed by the owners of taxable property having an assessed valuation equal to twenty percent (20%) or more of the assessed valuation of all taxable property within the municipality, all further proceedings under such initial resolution shall be barred. No such resolution shall become effective until the question of its approval has been submitted to the qualified electors of the municipality at a special election called for said purpose by the governing body of the municipality and a majority of the electors voting on the question have voted in favor thereof. The notice and conduct of the election shall be governed, to the extent applicable, by section 11-2308 and 11-2310 for an election called by cities and towns and section 16-2024 and 16-2026 for an election called by counties. If a majority of the electors voting thereon vote against approval of the resolution,"

And as so amended, be concurred in.

KOSENA, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 383, respectfully report as follows: That Senate Bill No. 383 be amended as follows:

Amend page 1, 2 and 3 by deleting all numbers under Columns A and B and insert in lieu thereof the following numbers:

Column A

\$3,520  
\$3,620  
\$3,700  
\$3,780  
\$3,880  
\$4,130  
\$4,200  
\$4,300  
\$4,370  
\$4,460  
\$4,550  
\$4,630  
\$4,720  
\$4,800  
\$4,890  
\$5,010  
\$5,190  
\$5,370  
\$5,520  
\$5,690  
\$5,870  
\$6,050

Column B

\$3,520  
\$3,620  
\$3,700  
\$3,780  
\$3,880  
\$4,130  
\$4,200  
\$4,300  
\$4,370  
\$4,460  
\$4,550  
\$4,630  
\$4,720  
\$4,800  
\$4,890  
\$5,010  
\$5,190  
\$5,370  
\$5,520  
\$5,690  
\$5,870  
\$6,050  
\$6,050  
\$6,050  
\$6,050  
\$6,050  
\$6,050



Further amend on page 3, of the Senate Third Reading bill by deleting all material after the word "valuation;" on line 12 and on page 4, line 11 of the Introduced bill to the end of the bill and

Further amend by inserting in lieu thereof the following language: "provided however, that county superintendent of schools shall receive, in addition to the salary based upon the totals of columns A and B above, the sum of four hundred dollars (\$400) per year and county sheriffs shall receive, in addition to the salary based upon the totals of columns A and B above, the sum of twelve hundred dollars (\$1,200) per year. Be it further provided that the salary of the county attorney shall be computed as above set forth, and in addition thereto, the county attorney shall receive an additional ten percent (10%) of the amount indicated."

And as so amended, be concurred in.

KOSENSA, Chairman

Report adopted.

January 18, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

WATT, Chairman

Report adopted.

January 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fabbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hager, Hall, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Regan, Roberts, Schye, Seifert, Shelden, Staig-miller, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: Barrett, Bell, H. Harper, R. Harper, Kendall, Mercer, Olson, Prevost, Schepens, Smith. Total 10.

Excused: Stephens. Total 1.

Absent or Not Voting: Asbjornson, Bardanouve, Bennetts, Cox, Edland, Ellerd, Fagg, Galt, Glennen, Hageman, Haines, Holmes, Huennekens, Kimble, Lucas, Quilici, Rolfe, Selstad, Towe, Warfield. Total 20.

January 25, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do not pass.

WATT, Chairman

Murphy moved, as a substitute motion, that House Bill No. 437 be printed and placed on Second Reading.

Motion carried.

February 5, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 531, respectfully report as follows: That House Bill No. 531 be amended on page 5, section 3, line 14, after the word "of" by striking the words and figure "[five dollars (\$5)]" and inserting in lieu thereof the words and figure "two dollars (\$2)", and

Be further amended on page 5, section 3, line 15, after the word "machine" by striking the word and punctuation "[owned,]", and

Be further amended on page 5, section 3, line 15, after the word "operated" by striking the words "[or controlled]", and

As so amended, do pass.

WATT, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 137, respectfully report as follows: That Senate Bill No. 137 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 136, respectfully report as follows: That Senate Bill No. 136 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 123, respectfully report as follows: That Senate Bill No. 123 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be amended on page 2, section 1, subsection (7), lines 3, 4, and 5 (this material not being in the original bill) by reinstating the stricken material therein in its entirety, as follows "when there are three (3) or less employees, or the gross annual payroll does not exceed eighteen thousand dollars (\$18,000)", and

As so amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

House Bill No. 484

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 484, beg leave to report as follows:

That we met this day and considered Senate Committee Amendments dated February 19, 1973, to House Bill No. 484 and recommend as follows:

That to conform with amendments to the body of House Bill No. 484, we recommend that the Senate recede from their amendment in Section 1, lines 23, 24, and 25:

And further amend in lines 23 and 24 by inserting the following words: "A copy of the list of registered voters shall be posted at the polling place"

FOR THE SENATE:  
MCDONALD  
ZODY

FOR THE HOUSE:  
BAUCUS  
HALVORSON  
HAGER

Baucus moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks Mehrens, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Ainsworth, Bradley, Cotton, Ellerd, Fagg, Flynn, R. Harper, Holtz, Hubing, Jones, Kolstad, Lundgren, Menahan, Norman, Roberts, Selstad, Stoltz, Swanberg, Ulmer. Total 19.

#### House Bill No. 431

#### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 431, beg leave to report as follows:

That we met this day and considered Senate Committee on Labor and Employment Relations amendments to House Bill No. 431 and recommend as follows:

That the Senate recede from its proposed amendments on House Bill No. 431, and the Joint Conference Committee recommends the bill be amended as follows:

In the Title, page 1, lines 9 and 10, by striking the following words and figures "[Three (3) years for willful violations and two (2) years for other]" and inserting the following words and figures in lieu thereof "eighteen (18) months for";

And further amend Section 1, page 1, lines 20 and 21, by striking the underscored material and inserting in lieu thereof the following figures and words "eighteen (18) months";

And that House Bill No. 431 be concurred in as so amended.

FOR THE SENATE:  
FLYNN  
JENSEN  
HIMSL

FOR THE HOUSE:  
McKITTRICK  
MARBUT  
COLBERG



McKittrick moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, Edland, Fashbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towse, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 75.

Noes: Burnett, Clemow, Cox, Holtz, Kolstad, Rolfe, Ulmer. Total 7.

Excused: Stephens. Total 1.

Absent or Not Voting: Ainsworth, Bardanouve, Cotton, East, Ellerd, Fagg, Forsgren, Galt, R. Harper, Hubing, Lockrem, Lundgren, Marks, Norman, Roberts, Selstad, Yardley. Total 17.

(Material in brackets denotes cancelled type.)

#### MESSAGES FROM THE SENATE

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 389. On motion and duly carried, Senator Lynch requested that a Conference Committee be appointed from the Senate to meet with a like committee from the House to confer on said amendments.

The President Pro-Tem appointed the following:

Senator Bollinger, Chairman  
Senator Zody  
Senator Northey

Respectfully yours,  
WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report on Senate amendments to House Joint Resolution No. 10 and the committee has been dissolved.

Respectfully,  
WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to and the bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 5, introduced by Gerke & Ainsworth  
House Bill No. 23, introduced by Ainsworth and Gerke (by request)  
House Bill No. 46, introduced by Brand  
House Bill No. 110, introduced by Quilici, Flynn, et al  
House Bill No. 145, introduced by Baucus, Lombardi, et al  
House Bill No. 246, introduced by Johnston, Stephens, et al  
House Bill No. 253, introduced by Quilici, McKittrick. et al

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day by committee report recommended for nonconcurrence, reports adopted on roll call vote, and the bills are herewith returned to the House:

House Bill No. 83, introduced by Lockrem, Swanberg & Lombardi  
House Bill No. 121, introduced by Towe, Bradley, et al  
House Bill No. 122, introduced by Towe, Bradley, et al  
House Bill No. 251, introduced by Bradley, Tierney, and Hageman  
House Bill No. 266, introduced by Brand  
House Bill No. 265, introduced by Jacobsen, et al  
House Bill No. 307, introduced by Brand  
House Bill No. 453, introduced by Marbut & McKittrick  
House Bill No. 512, introduced by Haines

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 163, introduced by Greely  
House Bill No. 219, introduced by Haines  
House Bill No. 239, introduced by Colberg, R. Harper, et al  
House Bill No. 364, introduced by Bardanouve, Edland, et al  
House Bill No. 434, introduced by Glennen and Holtz

House Bill No. 472, introduced by Barrett and Glennen

Respectfully yours,

WALTER H. MARSHALL  
Secretary of the Senate

February 27, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 156, introduced by Swanberg, et al, was this day on the Committee of the Whole recommended that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Brand moved that the House request the Senate to return Senate Bill No. 381 for further consideration.

Motion carried.

Fasbender moved that the House accede to the request of the Senate for the return of House Bill No. 82 to the Senate.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 21, introduced by Asbjornson, Barrett, Kolstad, Aageson, Schye, Murphy, Laas: A Resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to provide funds for a study of Judith River. Referred to Committee on Natural Resources.

House Resolution No. 22, introduced by Zimmer, Lundgren, Selstad, Halvorson, Brown, Jones: A Resolution of the House of Representatives of the State of Montana supporting Senator Mike Mansfield's Senate Joint Resolution 25 authorizing and requesting the President to establish a "National Next Door Neighbor Day". Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 38, introduced by R. Harper, Fleming, Regan, Brand, Lynch, Murphy, McKittrick, Mehrens, Kolstad, Quilici, Cox, Norman, Healy, Driscoll, Menahan, Lockrem, Fagg, Ulmer, Schepens, Lee, Baeth, Zimmer, Lucas, Fasbender, Edland, Laas, Kosena, Stephens, Stoltz, Jacobsen, Aageson, Staigmiller, Glennen, Prevost, Johnston, Hall, Jones, Lombardi, Nichols, Barrett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting Montana's Congressional Delegation to sponsor an amendment to the U. S. Constitution guaranteeing the right to life. Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 589, introduced by Bardanouve, Nichols: A Bill for an Act entitled: "An Act Amending Sections 75-8103 and 75-8120, R.C.M. 1947, To Have The Board of Regents Set The Compensation of The Employees of All Community Colleges On A Uniform Basis." Referred to Committee on Education.

House Bill No. 590, introduced by Fasbender, Lund: A Bill for an Act entitled: "An Act For The Codification and General Revision of The Laws Relating To The Department of Intergovernmental Relations, and Providing that this Act is effective upon its passage and approval." Referred to Committee on State Administration.

House Bill No. 591, introduced by Brand, Burnett, Lombardi, Lee, Healy: A Bill for an Act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service in the Vietnam area during the Vietnam War between August 5, 1964, and March 31, 1973; To authorize the State of Montana to become indebted in the sum of two million five hundred thousand dollars (\$2,500,000) in excess of the Constitutional Limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of this Act; To provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; To provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; To levy and provide for the collection of an Excise Tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M. 1947; To create and provide for the administration of a Vietnam Veterans' Compensation Fund and Bond Fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the Act; To pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; To make the bonds a legal investment for funds of the State of Montana; To provide penalties for violation of provisions of the act; To amend Sections 84-5606 and 84-5606.30, R.C.M. 1947; To make other provisions germane to the main purpose of this act; and to provide for a referendum of this act." Referred to Committee on Taxation.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 519 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Fasbender, Kessner. Total 2.

House Bill No. 575 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender,



Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Sheldon, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Cotton, Hall. Total 2.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Sheldon, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Brown, Burnett, Castles, Clemow, Ellerd, Galt, Haines, Holtz, Jones, Kessner, Kolstad, Kvaalen, Lien, Lund, Lundgren, Marks, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 29.

Excused: Stephens. Total 1.

Absent or Not Voting: None.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Sheldon, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Asbjornson, Bennetts, Brand, Colberg, Flynn, Gunderson, Huennekens, Olson, Prevost, Schepens, Staigmiller, Towe. Total 12.

Excused: Stephens. Total 1.

Absent or Not Voting: Ellerd, Hall, Lucas, Nichols, Smith, Stoltz, Watt. Total 7.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming,

Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stoltz, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Brand, East, Hubing, Jones, Kolstad, Manuel, Murphy, Olson, Schye, Smith, Swanberg, Tierney, Ulmer, Walborn. Total 14.

Excused: Stephens. Total 1.

Absent or Not Voting: None.

Senate Bill No. 192 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Jacobsen, Kendall, Lien, Lundgren, Olson. Total 6.

Excused: Stephens. Total 1.

Absent or Not Voting: Bell, Edland, Fasbender, Lynch. Total 4.

Senate Bill No. 242 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Greely, Ulmer. Total 2.

Excused: Stephens. Total 1.

Absent or Not Voting: Brand, Burnett, East, Edland, Hubing, Selstad. Total 6.

Senate Bill No. 260 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas,

Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Lien, Lund, Prevost, Schye. Total 4.

Excused: Stephens. Total 1.

Absent or Not Voting: Colberg, Ellerd, Lundgren, Nichols, Smith, Swanberg. Total 6.

Senate Bill No. 353 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Kessner, Kosena, Kvaalen, Lucas, McKittrick, Manuel, Marbut, Marks, Nichols, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmilller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Burnett, Clemow, Cotton, Driscoll, Edland, Flynn, Galt, Glennen, Hager, Haines, Healy, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Walborn, Zimmer. Total 43.

Excused: Stephens. Total 1.

Absent or Not Voting: None.

Senate Bill No. 359 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: Lien. Total 1.

Excused: Stephens. Total 1.

Absent or Not Voting: Castles. Total 1.

Senate Bill No. 404 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith,



Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Castles. Total 1.

Senate Bill No. 436 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Castles, Fagg. Total 2.

Senate Bill No. 437 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Colberg, Cotton, Edland, Fagg, Fasbender, Fleming, Forsgren, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, Manuel, Marbut, Murphy, Norman, Prevost, Regan, Rolfe, Schepens, Shelden, Staigmilller, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 57.

Noes: Ainsworth, Asbjornson, Barrett, Brand, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Ellerd, Flynn, Galt, Glennen, Greely, Healy, Hubing, Jones, Kessner, Kosen, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Quilici, Roberts, Schye, Seifert, Selstad, Smith, Swanberg, Ulmer, Walborn, Zimmer. Total 42.

Excused: Stephens. Total 1.

Absent or Not Voting: None.

Senate Bill No. 441 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Bennetts, Towe. Total 2.



Excused: Stephens. Total 1.

Absent or Not Voting: Baeth, Castles, Colberg. Total 3.

Senate Bill No. 442 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Ainsworth, Burnett, Clemow, Cox, East, Hager, Holtz, Hubing, Kosena, Lockrem, Mercer, Olson, Selstad, Smith, Turner, Walborn. Total 16.

Excused: Stephens. Total 1.

Absent or Not Voting: Castles, Lund. Total 2.

Senate Bill No. 456 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 87.

Noes: Bennetts, Cox, Hall, Lockrem, Marbut, Smith, Tierney, Yardley. Total 8.

Excused: Stephens. Total 1.

Absent or Not Voting: Fasbender, Forsgren, Regan, Schye. Total 4.

Senate Joint Resolution No. 16 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Hageman, Mr. Speaker. Total 88.

Noes: Burnett, Ellerd, Rolfe, Selstad, Smith, Ulmer. Total 6.

Excused: Stephens. Total 1.

Absent or Not Voting: East, Fasbender, Galt, Kessner, Schye. Total 5.

Senate Joint Resolution No. 35 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Selstad, Smith, Turner, Walborn. Total 5.

Excused: Stephens. Total 1.

Absent or Not Voting: Galt, Kessner, Schye. Total 3.

Senate Bill No. 273 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Fagg, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, Manuel, Marbut, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Forsgren, Glennen, Hager, Halvorson, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lundgren, McKittrick, Marks, Mehrens, Mercer, Nichols, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Zimmer. Total 45.

Excused: Stephens. Total 1.

Absent or Not Voting: Fasbender, Galt, Hall. Total 3.

Senate Joint Resolution No. 10 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Greely, Kessner, Smith, Swanberg, Tierney, Turman, Walborn, Zimmer. Total 8.

Excused: Stephens. Total 1.

Absent or Not Voting: Driscoll, Galt, Olson, Schye. Total 4.

Senate Amendments to House Bill No. 18 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,

Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Hall. Total 1.

Excused: Stephens. Total 1.

Absent or Not Voting: Forsgren, Galt, Holmes, Lund, Shelden. Total 5.

Senate Amendments to House Bill No. 129 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Cox, Fagg, Jacobsen, Lien, Lund, Tierney, Towe, Zimmer. Total 8.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Galt, Gunderson, Hageman, Shelden. Total 5.

Senate Amendments to House Bill No. 142 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Lien, Marks, Rolfe, Warfield. Total 4.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Ellerd, Galt, Hageman, Holmes, Hubing, Shelden, Zimmer. Total 8.

Senate Amendments to House Bill No. 174 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cot-



ton, Driscoll, East, Ellerd, Fagg, Fasbender, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Staigmilller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Bardanouve, Colberg, Cox, Edland, Fleming, Galt, Glennen, Hall, Jacobsen, Kosena, Mehrens, Nichols, Schye, Shelden, Smith, Tierney, Warfield, Zimmer. Total 18.

Senate Amendments to House Bill No. 229 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradly, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 91.

Noes: Seifert. Total 1.

Excused: Stephens. Total 1.

Absent or Not Voting: Campbell, Edland, Fleming, Galt, Shelden, Tierney, Yardley. Total 7.

Senate Amendments to House Bill No. 362 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Fleming, Galt, Hageman, Shelden, Yardley. Total 6.

Senate Amendments to House Bill No. 374 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles,



Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Fleming, Galt, Gunderson, Hubing, Watt, Yardley. Total 7.

Senate Amendments to House Bill No. 400 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Galt, Gunderson, Hall, Hubing, Lynch, Yardley. Total 7.

Senate Amendments to House Bill No. 416 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 84.

Noes: Campbell, Colberg, Holmes, Huennekens, Laas, Marbut, Smith, Towe, Zimmer. Total 9.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Fagg, Gunderson, Lund, Tierney, Yardley. Total 6.

Senate Amendments to House Bill No. 491 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 88.

Noes: Huennekens, Lien, Towe. Total 3.

Excused: Stephens. Total 1.

Absent or Not Voting: Edland, Fasbender, Holmes, Lundgren, Olson, Tierney, Yardley, Zimmer. Total 8.

Senate Amendments to House Joint Resolution No. 9 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Hunnekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, ~~Murphy~~, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 88.

Noes: Brand. Total 1.

Excused: Stephens. Total 1.

Absent or Not Voting: Bennetts, Edland, Holmes, Kendall, Kvaalen, Schye, Selstad, Tierney, Yardley, Zimmer. Total 10.

Senate Amendments to House Joint Resolution No. 34 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Smith, Staigmillar, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 86.

Noes: Hubing, Shelden. Total 2.

Excused: Stephens. Total 1.

Absent or Not Voting: Bennetts, Edland, Fleming, Glennen, Lundgren, Schye, Selstad, Tierney, Ulmer, Yardley, Zimmer. Total 11.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lee in the Chair.

Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 60 be concurred in (57-0).

That Senate Bill No. 83 be amended in Section 1, page 1, on line 23, following the word "members" by adding the following material: "or when the legislative assembly is in session, by a recorded vote of a majority of the members" (62-3)

And as amended, be concurred in (70-0).

That Senate Bill No. 112 be concurred in (79-9).

That Senate Bill No. 203 be not concurred in (42-33).

That Senate Bill No. 211 be concurred in (70-0).

That Senate Bill No. 230 be concurred in (60-11).

That Senate Bill No. 310 be concurred in (69-5).

That Senate Bill No. 327 be concurred in (45-21).

That Senate Bill No. 333 be not concurred in (47-35).

That Senate Bill No. 337 be concurred in (81-0).

That Senate Bill No. 341 be concurred in (75-0).

That Senate Bill No. 351 be concurred in (70-1).

That Senate Bill No. 356 be concurred in (71-0).

That Senate Bill No. 368 be concurred in (68-1).

That Senate Bill No. 62 be concurred in (66-0).

That Senate Bill No. 104 be concurred in (67-1).

That Senate Bill No. 177 be concurred in (57-28).

That Senate Bill No. 179 be not concurred in (73-14).

That Senate Bill No. 194 be concurred in (79-0).

That Senate Bill No. 207 be concurred in (74-1).

That all bills be moved to bottom of the board.

That Senate Amendments to House Bill No. 5 be not concurred in (68-0).

That Senate Amendments to House Bill No. 23 be not concurred in (65-9).

That Senate Amendments to House Bill No. 46 be not concurred in (67-0).

That Senate Amendments to House Bill No. 110 be concurred in (82-1).

That Senate Amendments to House Bill No. 145 be concurred in (80-0).

That Senate Amendments to House Bill No. 246 be not concurred in (74-3).

That Senate Amendments to House Bill No. 253 be concurred in (75-0).

That Senate Amendments to House Bill No. 144 be not concurred in (83-1).

That Senate Bill No. 213 be concurred in (76-0).

That Senate Bill No. 235 be passed for the day.

That Senate Bill No. 238 be concurred in (73-0).

That the Committee rise and report.

LEE, Chairman

Lee moved for adoption of the Committee of the Whole report.

As a substitute motion, Greely moved that Senate Bill No. 203 be segregated from the Committee of the Whole report and as amended, the report be adopted.

Motion carried.

## REPORTS OF STANDING COMMITTEES

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 133, respectfully report as follows: That Senate Bill No. 133 be amended on page 1, in the title, line 5 of the third reading bill and the introduced bill between the word "of" and "the" by inserting "certain employees of", and

Further amend on page 1, section 1, lines 12 through 17 of the third reading bill by striking all of the material after the word and punctuation "system." on line 12, as follows: "[The division is included within the joint merit system as administered by the merit system council created in section 62A 206 and as required by 29 CFR 1902.3 (h). This shall apply only to those employees whose personal services are provided partially or wholly by federal grants for on going programs.]" (or, on the original bill being on page 1, section 1, lines 12 through 15 by striking all of the material after the word and punctuation "system." on line 12, as follows: "[The division is included within the joint merit system as administered by the merit system council created in section 82A 206 and as required by 29 CFR 1902.3 (h).]" and insert in lieu thereof on the third reading bill (and the original bill) "Employees of the division, except the administrator, are included within the joint merit system if such inclusion is required for the receipt of federal funds by 29 CFR 1902.3 (h), or by any other federal law or regulation.", and

As so amended, be concurred in.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 129, respectfully report as follows: That Senate Bill No. 129 be amended on page 1, section 1, line 20 of the third reading bill (this material not being in the original bill) after the word "exceed" by striking the underlined material as follows "[sixty-six and two thirds percent (66⅔%)]", and



As so amended, be concurred in.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be amended on page 3, section 1, beginning on line 19 of the third reading bill (not applying to the introduced bill) after the word and punctuation "action," by reinstating the stricken material thereafter and on lines 20 through 25 as follows: "He may request that such employer or insurer pay a proportionate share of the reasonable cost, including attorneys' fees, of such third party action. The employer or insurer may elect not to participate in the cost of the third party action, but if such election is made, the employer or insurer shall be deemed to have waived all subrogation rights granted by this section.", and

Further amend on pages 4 and 5, section 1, line 21, page 4 through line 1, page 5 of the third reading bill (this amendment not applying to the introduced bill) by reinstating the stricken material as follows: "If death results from the injury or occupational disease, the employer shall have a right of action against the third party for recovery of any amount paid under this act, and such right of action shall be in addition to any cause of action by the heirs or personal representative of the deceased."

And as so amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be amended on page 1, section 1, line 22 of the third reading bill, (this amendment not necessary in the introduced bill) after the word "year" by reinstating the stricken material in the remainder of the paragraph as follows: ", and shall be the maximum weekly compensation benefits to be paid for injuries occurring during the following fiscal year", and

As so amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

February 28, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 308, 151, 435.

QUILICI, Chairman

I have examined House Bill No. 435 introduced by me and find the same to be correct.

GLENNEN

I have examined House Bill No. 308 introduced by me and find the same to be correct.

COX

I have examined House Bill No. 151 introduced by me and find the same to be correct.

STAIGMILLER

The Speaker signed in open session the following House Bills: 308, 435, 151.

## MESSAGES FROM THE SENATE

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Motion this day, duly carried, the Senate requests the return of House Bill No. 265 for the purpose of reconsideration by the Senate.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the House accede to the request of the Senate for the return of House Bills Nos. 265 and 82.

Motion carried.

Fasbender moved that the Speaker appoint Conference Committees to meet with like Committees from the Senate to consider Senate Amendments to House Bills Nos. 5, 23, 46, 246, 144.

Motion carried.

The Speaker appointed the following Conference Committees:

Senate Amendments to House Bill No. 107: Lynch, chairman, McKitt-rick, Lucas.

Senate Amendments to House Bill No. 272: Regan, chairman; Baucus, Kessner.

Senate Amendments to House Bill No. 389: Greely, chairman; Murphy, Hal Harper.

Fasbender moved that the House adjourn until 1:30 p.m., March 1, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## FIFTY-SECOND LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
March 1, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Hageman, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 51st Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 513 and 532.

QUILICI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 437.

QUILICI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 6, 19, 148, 150, 175, 210, 269, 318, 325, 377, 378, 379 and 381, and House Joint Resolution No. 27, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:30 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 2, House Resolution No. 2, and House Bills Nos. 9, 89, 138, 139, 198, 209 and 486.

QUILICI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Legislative Administration report the following staff changes:

Pages terminated as of March 1, 1973: Ann Fleming, Kryss Holmes, Jane Howe, Lori Dynneson, Jannie Harper, Jay Pallister, Linda Dynneson, Molly Mahan.

New pages as of March 1, 1973: Carol Irigoin, Diana McFarland, Alma Bayne, Denise Osterman, Clayton Jones, Linda Reynolds, Nora Lien, Cheryl Kolstad.

EDLAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be amended by striking all the material after the enacting clause and inserting in lieu thereof the following substitute bill:

Section 1. There is created a judicial nomination commission for the State of Montana, whose function it shall be to provide the governor with a list of candidates for nominee to fill any vacancy on the supreme court or any district court of the State of Montana. The commission shall be composed of seven (7) members as follows:

(a) four (4) lay members, who are neither judges or attorneys, active or retired, and who shall reside in different geographical areas of the state; each of these four (4) members shall be representative of a different industry, business or profession, whether or not actively so engaged or retired; such members shall be appointed by the governor;

(b) two (2) attorneys, actively engaged in the practice of law, one (1) from each congressional district, who shall be nominated under pro-

cedures adopted by the Montana Bar Association and elected by the attorneys residing in the congressional district in which the nominee resides.

(c) one (1) district judge selected by the District Judges Association.

Section 2. All original members named to the commission shall all serve until January 1, 1976. Their successors shall serve as follows: (a) the members appointed by the governor shall serve for four (4) year terms.

(b) the attorneys elected shall serve a two (2) year term.

(c) the judge elected shall serve a two (2) year term.

(2) Thereafter all members shall serve terms of four (4) years.

(3) In the event a vacancy on the commission occurs, the governor shall appoint a replacement for the remainder of the term, provided such replacement shall be a member of the same group as the member he replaces.

(4) Appointments provided for in this section shall be made within thirty (30) days of the completion of the preceeding terms, or within thirty (30) days of the occurrence of any vacancy.

Section 3. The commission shall elect one (1) of its members to serve as the secretary, and upon such election shall notify the governor of the name and mailing address of such person; the secretary shall keep a record of all proceedings by the commission, and act as corresponding secretary with the governor's office.

Section 4. Four (4) members of the commission shall constitute a quorum for the transaction of business. To submit a name to the governor, there must be a concurrence of at least four (4) members.

Section 5. The commission and each member is authorized to make investigations concerning the qualifications of eligible persons, and any lawyer in good standing who has the qualifications set forth by law for holding judicial office, may be a candidate, and may make application to the commission for consideration, or application may be made by any person on his behalf.

Section 6. The commission shall meet forthwith after a vacancy occurs on the supreme court or district court and submit to the governor within thirty (30) days from the date of the vacancy a list of not less than three (3), nor more than five (5) persons.

Section 7. The governor must make an appointment from those names submitted by the commission.

Section 8. If the governor fails to nominate within thirty (30) days after receipt of the list, the chief justice or acting chief justice shall make the nomination.

Section 9. Each nomination shall be confirmed by the senate, but a nomination made while the senate is not in session is effective as an appointment until the end of the next session. If the nomination is not confirmed, the office shall be vacant and another selection and nomination shall be made.

Section 10. A nominee confirmed by the senate serves until the next succeeding general election. The candidate elected at that election holds the office for the remainder of the unexpired term.

Section 11. Members of the commission are not eligible for nomination to a judicial office during their term on the commission or for one (1) year thereafter.



Section 12. The members of the commission are not entitled to compensation for their services, but they are entitled to actual expenses incurred while actually engaged in the discharge of their official duties.

Section 13. The commission shall make rules for the conduct of its affairs and to provide for the confidentiality of its proceedings.

Section 14. Sections 93-209, 93-220, 93-309, R.C.M. 1947, are repealed.

And as amended, be concurred in.

HALL, Chairman

Report adopted.

Hall moved that all favorable committee reports be deemed read and approved.

Motion carried.

March 1, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 331, respectfully report as follows: That Senate Bill No. 331 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 80, respectfully report as follows: That Senate Bill No. 80 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

HALL, Chairman

Hall moved for the adoption of the above three committee reports, since the Committees on Judiciary in the Senate and the House will bring out a joint bill on "no-fault" insurance.

Reports adopted.

The Speaker signed in open session Senate Bills Nos. 122, 53, 92, 113 and 269.

## REPORTS OF SELECT COMMITTEES

February 28, 1973

Senate Bill No. 147

## JOINT CONFERENCE COMMITTEE REPORT

### MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 147, beg leave to report as follows:

That we met this day and considered House Committee on Fish and Game Amendments dated February 21, 1973, to Senate Bill 147, and recommend as follows:

That the House recede from House Committee on Fish and Game Amendments dated February 21, 1973, to the Title of Senate Bill No. 147;

And further, that the House recede from House Committee on Fish and Game Amendments dated February 21, 1973, to Section 1, Subsection (2) on page 2, line 7 of Senate Bill 147.

## FOR THE SENATE:

Sorenson

Carl

McOmber

## FOR THE HOUSE:

Staigmiller

Clemow

Bradley

Staigmiller moved for adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Tierney. Total 1.

Excused: Hageman. Total 1.

Absent or not voting: Bardanouve, Bennetts, Ellerd, Fagg, Fleming, Holmes, Kimble, Kvaalen, Schye, Swanberg, Turman. Total 11.

March 1, 1973

Mr. Speaker: We, your majority select Committee on Gambling, having had under consideration Senate Joint Resolution No. 18, respectfully report as follows: That Senate Joint Resolution No. 18 be amended by striking all the Senate Amendments as follows:

Be amended on page 1, starting with line 19, through and including line 21, by striking the material contained therein in its entirety, and

Be further amended on page 1, line 22, after the word "numerous" by striking the word "[other]", and

Be further amended on page 2, line 14, after the word "wagering" by striking the material: "[excepting Senate Bill No. 413]", and

Be further amended on page 2, line 25, by striking the material: "[excepting Senate Bill No. 413]", and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

Lien,  
Nichols,  
Hall,  
Lundgren,  
Ulmer

March 1, 1973

Mr. Speaker: We, your minority select Committee on Gambling, having had under consideration Senate Joint Resolution No. 18, respectfully report as follows: That Senate Joint Resolution No. 18 be not concurred in.

LEE

As a substitute motion, Hall moved that the same amendment as on the majority report be included on the minority report.

Motion carried.

Lien moved for adoption of the majority committee report.

Lee moved, as a substitute motion, that the minority committee report be adopted.

Ulmer moved the previous question.

Motion carried.

The minority report was adopted by the following vote:

Ayes: Ageson, Ainsworth, Ashbjornson, Baeth, Bardanouve, Barrett, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fleming, Flynn, Galt, Haines, Hall, R. Harper, Healy, Hodges, Hubing, Huennekens, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Schepens, Schye, Seifert, Stephens, Tierney, Turner. Total 54.

Noes: Baucus, Bell, Bradley, Brown, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager Halvorson, H. Harper, Holmes, Holtz, Jacobsen, Kendall, Kvaalen, Lien, Lund, Lundgren, Marbut, Mercer, Nichols, Norman, Regan, Roberts, Rolfe, Selstad, Shelden, Smith, Staig-miller, Stoltz, Swanberg, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 43.

Excused: Hageman. Total 1.

Absent or not voting: Bennetts, Towe. Total 2.

#### MESSAGES FROM THE OTHER HOUSE

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on roll call vote this day, the senate adopted the Conference Committee report on Senate amendments to House Bill No. 484 and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 107.

The President Pro Tem appointed the following members:

Senator Goodheart, Chairman  
Senator Flynn  
Senator McCallum

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 272.

The President Pro Tem appointed the following members:

Senator Boylan, Chairman  
Senator McOmber  
Senator Deschamps

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on roll call vote this day, the Senate adopted the Conference Committee report on Senate amendments to House Bill No. 431 and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 78, introduced by Fagg, et al

House Bill No. 84, introduced by Lockrem, Swanberg & Lombardi

House Bill No. 126, introduced by Kvaalen, et al

House Bill No. 296, introduced by McKittrick, et al

House Bill No. 368, introduced by Schye, et al

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate



February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for noncurrence on Committee Reports, reports adopted on roll call votes, and the bills are herewith returned to the House:

House Bill No. 162, introduced by Swanberg, et al

House Bill No. 339, introduced by Towe, et al

House Bill No. 227, introduced by Hall

House Bill No. 237, introduced by Colberg, et al

House Bill No. 446, introduced by R. Harper, et al

House Bill No. 330, introduced by Norman

House Bill No. 119, introduced by Bell, et al

House Bill No. 370, introduced by Edland

House Bill No. 64, introduced by Bardanouve

House Bill No. 101, introduced by Bardanouve & Bennett

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

February 28, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 37, introduced by Bardanouve and Cox

House Bill No. 153, introduced by McKittrick, et al

House Bill No. 183, introduced by Marbut

House Bill No. 245, introduced by Johnston, et al

House Bill No. 261, introduced by Marbut, et al

House Bill No. 262, introduced by Marbut, et al

House Bill No. 263, introduced by Marbut, et al

House Bill No. 312, introduced by Bardanouve

House Joint Resolution No. 11, introduced by Marbut, et al

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

#### REPORTS OF STANDING COMMITTEES

March 1, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and

Safety, having had under consideration Senate Bill No. 241, respectfully report as follows: That Senate Bill No. 241 be not concurred in.

LEE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Hageman. Total 1.

Absent or not voting: Baucus, Bennetts, Colberg, Cotton, Edland, El-lerd, Fasbender, Fleming, Gunderson, Huennekens, Lundgren, Lynch, Norman, Schye, Towe, Zimmer. Total 16.

March 1, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 237, respectfully report as follows: That Senate Bill No. 237 be amended on page 2, section 3, subsection (1), line 19 of the third reading bill (this material not being in the original bill) after the word "revenue" by striking "[pertinent information contained in the welfare files.]" and inserting in lieu thereof "information contained in the welfare files pertinent to the investigations and judicial actions described in section 1.", and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 19, respectfully report as follows: That House Resolution No. 19 be amended on page 2, line 4 after the word "beings" by striking the following material "[, and which will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness or condition of dependency]", and

And as amended, do pass.

(Material brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Resolution No. 21, respectfully report as

follows: That House Resolution No. 21 do pass.

SHELDEN, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 445, respectfully report as follows: That Senate Bill No. 445 be concurred in.

SHELDEN, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 17, respectfully report as follows: That House Resolution No. 17 do pass.

LEE, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 309, respectfully report as follows: That Senate Bill No. 309 be concurred in.

MEHRENS, Chairman

Report adopted.

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 517, respectfully report as follows: That House Bill No. 517 be amended on page 1, title, line 5, after the 2nd word "mined" of the sentence, by striking the words "[which have not been released from a reclamation bond]", and

Be further amended on page 1, section 1, line 14, after the word "of" by striking the words "[an annual]" and inserting in lieu thereof the words "a one-time",

Be further amended on page 1, section 1, line 14, after the word "on" by striking the words "[all unreclaimed]" and inserting in lieu thereof the words "each acre or fraction thereof of", and

Be further amended on page 3, section 3, subsection 2, line 11, after the word "operation" by striking the punctuation "[,]" and inserting in lieu thereof the words and punctuation "in the previous year.", and

Be further amended on page 3, section 3, subsection 3, beginning on line 12, by striking that subsection 3 in its entirety.

Be further amended on page 3, section 4, line 15, after the word "The" by striking the word "[annual]", and

Be further amended on page 3, section 4, line 19, after the word and punctuation "affected." by inserting the words "This fee shall be payable on any new acre or fraction thereof as included in the statement as provided in section 3.", and

Be further amended on page 3, section 5, line 22, after the word "The" by striking the word "[annual]", and

Be further amended on page 3, section 5, line 23, after the word "state" by striking the word "[treasurer]" and inserting in lieu thereof the words "general fund", and

Be further amended on page 3, section 5, line 24, after the word "applies" by striking the words and punctuation "[on or before March 31,

on the area of land affected on which the reclamation bond has not been completely released in the year preceding January 1 of the year in which the fee is paid. The fee shall be paid to the State Treasurer]", and

Be further amended on page 4, section 6, beginning on line 5, by striking that section 6 in its entirety and renumbering subsequent sections,

Be further amended on page 4, line 9, after the word "The" by striking the word "[annual]", and

Be further amended on page 4, line 12, after the figure "3" by striking the punctuation "[.]" and inserting in lieu thereof the punctuation and words "; plus all acreage not yet released from the reclamation bond.", and

And as amended, do pass.

(Material brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Hall, having voted on the prevailing side in adopting the adverse minority committee report on Senate Joint Resolution No. 18, moved that the House reconsider its action. Hall requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose and the motion to reconsider passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fashbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kvaalen, Lien, Lockrem, Lund, Lundgren, Marbut, Marks, Mercer, Norman, Olson, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staig-miller, Stoltz, Swanberg, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Noes: Ainsworth, Asbjornson, Barrett, Brand, Castles, Clemow, Cox, East, Ellerd, Flynn, Galt, Greely, Haines, R. Harper, Healy, Hubing, Huennekens, Jones, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Prevost, Quilici, Schye, Seifert, Smith, Stephens, Tierney, Turner. Total 40.

Absent or not voting: Towe, Walborn. Total 2.

Excused. None.

Paired: Hageman—aye, Mehrens—Nay.

Hall moved to revert to Order of Business No. 2 for consideration of the majority committee report.

Lynch moved, as a substitute motion, for the adoption of the minority report.

The substitute motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Galt, Glennen, Greely, Haines, R. Harper, Healy, Hubing, Huennekens, Jones, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Prevost, Quilici, Schye, Seifert, Smith, Stephens, Tierney, Turner, Walborn. Total 44.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Brown, Burnett, Colberg, Cotton, Driscoll, Edland, Fagg, Fashbender, Fleming, Forsgren, Gun-



derson, Hageman, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kvaalen, Lien, Lockrem, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Norman, Olson, Regan, Roberts, Rolfe, Schepens, Selstad, Sheldon, Staigmillar, Stoltz, Swanberg, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 54.

Excused: None.

Absent or not voting: Kimble, Towe. Total 2.

Paired: Bardanouve—Nay, Cox—Aye; Hageman—Nay, Mehrens—Aye.

Thereupon, the motion to reconsider carried.

Fasbender, having voted on the prevailing side, moved to reconsider Senate Amendments to House Bill No. 142.

Motion carried.

Fasbender moved that the Speaker appoint a conference committee to meet with a like committee from the Senate to discuss Senate Amendments to House Bill No. 142.

Motion carried.

Bradley, having voted on the prevailing side, moved that the House reconsider its action in adopting on Second Reading, Senate Bill No. 207.

Motion failed.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committee:

House Resolution No. 23, introduced by Tierney, Turman, Murphy, Bennetts: A resolution of the House of Representatives of the State of Montana to urge the President of the United States to reinstate funding for economic opportunity act programs. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 592, introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Institutions, and providing that this act is effective upon its passage and approval." Referred to Committee on State Administration.

House Bill No. 593, introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Social and Rehabilitation Services." Referred to Committee on State Administration.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Barrett in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 249 be concurred in (54-17).

That Senate Bill No. 250 be concurred in (53-19).

That Senate Bill No. 275 be concurred in (71-3).

That Senate Bill No. 361 be concurred in (65-8).

That Senate Joint Resolution No. 14 be concurred in (80-0).

That Senate Joint Resolution No. 31 be concurred in (73-0).

That Senate Joint Resolution No. 34 be concurred in (73-2).

That Senate Joint Resolution No. 38 be concurred in (66-2).

That House Resolution No. 14 be adopted (68-0).

That House Resolution No. 15 be adopted (54-19).

That House Resolution No. 16 be adopted (74-1).

That Senate Bill No. 195 be concurred in (68-0).

That Senate Bill No. 408 be concurred in (82-0).

That Senate Bill No. 203 be concurred in (77-5).

That Senate Bill No. 23 be concurred in (59-25).

That Senate Bill No. 94 be amended on page 9, line 21 of the House amendments by showing that the word "feet" is deleted material. (77-0).

And as amended, be concurred in (97-0).

That Senate Bill No. 103 be amended on page 2 of the third reading bill, by deleting the word "[bodily]" and inserting the word "personal" (70-0).

And be further amended in section 3, page 3, line 4 of the third reading bill by adding the material " , as defined herein" before the period (61-1).

And be further amended in section 3, third reading bill, line 23, page 3, by striking the word "[policy]" and inserting in lieu thereof the word "type" and on line 24, page 3 by adding before the period the words "as enumerated in the preceding paragraph." (64-0).

And further amend section 7, third reading bill, page 5, lines 3 and 4 by deleting the words "[or a political subdivision]" and further amend by adding at the beginning of line 11, page 5, the material "(2)", (68-0).

And as amended, be concurred in (81-0).

That Senate Bill No. 123, be concurred in (64-14).

That Senate Bill No. 124, be concurred in (76-3).

That Senate Bill No. 125, be concurred in (64-6).

That Senate Bill No. 126, be concurred in (81-1).

That Senate Bill No. 130, be concurred in (60-9).

That Senate Bill No. 131, be concurred in (71-0).

That Senate Bill No. 132, be concurred in (74-3).

That Senate Bill No. 134 be amended in line 13, page 6, by deleting the figure "[2]" in "1972" and inserting in lieu thereof the figure "4", making the date "1974" and further amend the title, after "1947" by insert-

ing “, and providing an effective date.” (70-1).

And as amended, be concurred in (51-30).

That Senate Bill No. 135, be concurred in (77-5).

That Senate Bill No. 136 be concurred in (81-1).

That Senate Bill No. 137 be concurred in (79-0).

That Senate Bill No. 138 be concurred in (66-14).

That the Committee rise and report.

BARRETT, Chairman

Report adopted.

#### HOUSE RESOLUTION NO. 14

INTRODUCED BY HAGER, COTTON, BARDANOUVE, LAAS.  
A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE BOARDS OF COUNTY COMMISSIONERS OF MONTANA'S SEVERAL COUNTIES MAKE ALL POSSIBLE EFFORTS TO POST DANGEROUS CURVES ON THE COUNTY ROADS OF THE STATE.

WHEREAS, the county roads of Montana are for the most part of necessity unpaved and narrow gravel roads, and

WHEREAS, because county roads follow section lines as much as possible and thus often have sudden sharp corners and curves in unexpected places, and

WHEREAS, the above situation creates a considerable driving hazard to even the most careful of drivers, and

WHEREAS, a recent death has occurred on a county road of this state which would have been preventable had a known hazard been posted by the responsible county commissioners and,

WHEREAS, the legislature recognizes its responsibility to urge all governmental agencies responsible for traffic safety in the state to do their utmost to clearly and adequately warn the public of known hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the legislature requests and strongly urges that the boards of county commissioners of the several counties make every possible effort to post dangerous curves and known hazards on all roads under their jurisdiction, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the chairman of the several boards of county commissioners in the state.

#### HOUSE RESOLUTION NO. 15

INTRODUCED BY BENNETTS, WATT, MURPHY, H. HARPER, R. HARPER, BRADLEY, JACOBSEN, COTTON, BAUCUS, KIMBLE, HODGES, GUNDERSON, REGAN, LEE, QUILICI, FLEMING, TOWE, HEALY, LYNCH, KOSENA, MENAHAN, FLYNN, BAETH, STOLTZ, ROBERTS, McKITTRICK, HOLMES, LOMBARDI, KENDALL, SHelden, DRISCOLL, MARBUT, TURMAN.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA TO URGE THE PRESIDENT OF THE UNITED STATES TO REINSTATE FUNDING FOR ECONOMIC OPPORTUNITY ACT PROGRAMS.



WHEREAS, the impoundment of funds for the development of human resources through programs for the elderly, child development, housing, rural electrification and conservation efforts, various emergency farm programs, manpower development, health services, and education seriously jeopardizes successful efforts for community development and citizen participation, and

WHEREAS, the appropriations for continuation of the Economic Opportunity Act for 1973 and 1974 which were authorized by the congress of the United States and signed by the president have also been impounded, and

WHEREAS, with the ending of the Viet Nam War and the closure of Economic Opportunity Act programs, the social and economic impact on the state of Montana through these losses will be serious, and

WHEREAS, with the continuing of the office of economic opportunity the servicemen as well as the socially and economically disadvantaged people will be able to get the help they need, and

WHEREAS, the abrupt termination of these programs does not afford the time needed to find other funding resources to continue these programs under local and county government, and

WHEREAS, the administration's decision to terminate such programs, in relation to their effectiveness, is in direct contradiction to the administration's own study of community action agencies conducted in January 1973, and

WHEREAS, the war on poverty in our country must be won with honor and dignity before we can begin to end it in another country.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the congressional delegation from Montana be requested to urge the president of the United States to reinstate the extension of the Economic Opportunity Act in its entirety, and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded by the secretary of state to the Montana congressional delegation and the president of the United States as soon as possible after its passage.

#### HOUSE RESOLUTION NO. 16

INTRODUCED BY GREELY, McKITTRICK, SWANBERG, STAIGMILLER, TIERNEY, HODGES, GUNDERSON, REGAN, FASBENDER, TOWE, HOLMES.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE LEGISLATIVE COUNCIL OR THE APPROPRIATE STANDING COMMITTEE TO CONDUCT A COMPREHENSIVE STUDY OF ELECTION LAWS AND TO DRAFT MODEL LEGISLATION.

WHEREAS, there is a growing concern over unfair campaign practices, and

WHEREAS, reforms are being made in the regulation of national campaigns, and

WHEREAS, Montana has outdated election laws regulating campaigns, and each session sees the introduction of laws which do not provide for comprehensive regulation of campaigns, and



WHEREAS, single-member districts will create new requirements in campaign regulation.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the legislative council or the appropriate standing committee conduct a comprehensive study of election laws regulating campaigning for all public offices in Montana, to include, but not be limited to: filing procedures and fees, financial disclosures and limitations, disclosures by individuals and groups of membership, and funding sources in influencing the election of a candidate or passage of an issue, and enforcement of these provisions, and

BE IT FURTHER RESOLVED, that the legislative council or the appropriate standing committee consult with representatives from each political party, from the office of secretary of state, and from the Montana Clerk and Recorders Association during the course of the study, and

BE IT FURTHER RESOLVED, that the legislative council or the appropriate standing committee submit to the 1974 session of the legislature a draft law providing for comprehensive campaign regulation.

#### REPORTS OF STANDING COMMITTEES

March 1, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 151, 308, 435, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill Nos. 104, 170, 206, 188, 186, 436, 230 and House Resolution Nos. 4, 6, 3, 8, and 10.

QUILICI, Chairman

January 30, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 518, respectfully report as follows: That House Bill No. 518 be amended on page 2, section 1, after subsection b, after line 14, by inserting a new subsection 2(c) as follows "(c) Gas produced and saved from lands in foreign nations or lands in states other than the state of Montana, and thereafter transported to and injected and stored in an underground storage reservoir and in Montana, even though said gas may thereafter," be withdrawn from the storage reservoir and sold or used with the state of Montana.", and

Be further amended on page 3, section 2, subsection a, line 19, after the letter "(a)" by striking the words and figure "[twelve percent (12%)]" and inserting in lieu thereof the words and figure "thirteen percent (13%)", and

Be further amended on page 3, section 2, subsection b, line 21, after the letter "(b)" by striking the words and figure "[twelve percent (12%)]" and inserting in lieu thereof the words and figure "thirteen percent (13%)", and

Be further amended on page 5, section 4, line 12, by striking the words "[state department of revenue]" and inserting in lieu thereof the words "county treasurer of the county where the oil or gas is produced", and

Be further amended on page 6, section 5, line 1, after the word and punctuation "year;" by striking the words "[and he]" and inserting in lieu thereof the words and punctuation "a duplicate copy of such statement shall be filed with the county treasurer. He", and

Be further amended on page 6, section 5, line 1, after the word "accompany" by inserting the words "the copy of", and

Be further amended on page 6, section 5, line 3, after the word "due" by striking the words "[to the state of Montana]", and

Be further amended on page 6, section 5, line 10, after the word "taxpayer" by striking the words "[to the department]", and

Be further amended on page 8, section 8, line 1, after the word "due" by striking the words "[to the state]", and

Be further amended on page 8, section 8, line 5, after the word "thereof" by striking the punctuation and words "[. The state department of revenue]" and inserting in lieu thereof the words "and deliver one of such statement to the county treasurer who", and

Be further amended on page 8, section 8, line 9, after the word "the" by striking the words "[state department of revenue]" and inserting in lieu thereof the words "county treasurer", and

Be further amended on page 9, section 10, beginning subsection 1, beginning line 9, by striking subsections 1, 2, and 3 in their entirety, and inserting in lieu thereof the following new subsections 1 and 2 "(1) Of such revenues received in the year commencing January 1, 1975, and in all subsequent years, ten percent (10%) thereof shall be paid by the county treasurer to the state treasurer and shall be deposited in the state general fund, and ninety percent (90%) of the revenues shall be retained by the county treasurer of such county.

(2) The revenues retained by each county treasurer shall be distributed to the various county funds and to the school districts in direct proportion to the then existing total mill levies for county and school district purposes in the school district wherein the oil or gas is produced.", and

Be further amended on page 10, after section 11, after line 11, by inserting a new section 12 and renumbering each subsequent section "Section 12. The value of production from each school district and county as reported to the state department of revenue in accordance with Section 5 hereof, less the deductions provided in Section 3, shall be considered as taxable property in determining the limits of indebtedness as provided in Sections 16-807 and 75-7104, R.C.M. 1947, and shall be considered as taxable property in determining taxable valuation of counties pursuant to Section 16-2419, R.C.M. 1947, for the next ensuing taxable year.", and

And as amended be printed and held over until the Second Half of the 43rd Legislative Session in January, 1974.

WATT, Chairman

Report adopted.

February 28, 1973

House Bill No. 100

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee of the Whole

Amendments dated February 19, 1973, to House Bill No. 100 beg leave to report as follows:

That the House accede to the amendments in the title, on line 7 following the word "providing" by striking all material thereafter in lines 8, 9 and 10 through "licensed" and inserting in lieu thereof, "deleting the requirements for granting a motor vehicle license to a person afflicted by epileptic type seizures.", but deleting the word "by" after "afflicted" and inserting in lieu thereof "with"

And further that the Senate recede from the Senate committee of the whole amendments to section 1, subsection 8, page 3, line 11, after "license" by striking, "or a qualified license stipulating conditions under which the afflicted person may operate a motor vehicle,"

And further that the Senate recede from the Senate committee of the whole amendments to section 1, subsection 8, page 3, line 15, after "show" by inserting the material, "through a written report from his attending physician"

And further that the House accede to the Senate committee of the whole amendments to section 1, subsection 8, page 3, line 18 and 19, after "for a" by deleting all of the remaining material and inserting in lieu thereof "sufficient period and that the condition is stabilized as attested to by said physician."

FOR THE HOUSE:  
J. D. Lynch, Chairman  
Walter Laas  
S. A. Olson

FOR THE SENATE:  
James Shea, Chairman  
C. F. Sorenson  
Archie Cochrane

Lynch moved for adoption of the Conference Committee report and that the committee be dismissed.

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittick, Manuel, Marbut, Marks, Mehrens, Mercer, Norman, Olson, Quilici, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Huennekens. Total 1.

Excused: None.

Absent or not voting: Ainsworth, Baucus, Bennetts, Brown, Campbell, Ellerd, Flynn, Forsgren, Gunderson, Hubing, Lucas, Lundgren, Menahan, Murphy, Nichols, Prevost, Regan, Roberts, Schye, Smith, Stoltz, Towe. Total 22.

February 28, 1973

Senate Bill No. 5

# JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 5, beg leave to report as follows:



That we met this day and considered House Committee on Judiciary Amendment to Senate Bill No. 5 and recommend as follows:

That the House recede from its proposed amendments on Senate Bill No. 5, and the Joint Conference Committee recommends the bill be amended as follows:

Be amended on page 2, Section 1, lines 8 through 15 of the blue senate bill by deleting all the material in lines 8 through 15 after the word and punctuation "offer." and inserting in lieu thereof the material, "In the event of litigation, and when the private property owner prevails by receiving an award in excess of the final offer of condemnor, the court shall award necessary expenses of litigation to the condemnee."

And that Senate Bill No. 5 do pass, as so amended.

FOR THE HOUSE:

Yardley

Greely

Bell

FOR THE SENATE:

Gilfeather

Groff

Harrison

Yardley moved for adoption of the Conference Committee report and that the committee be dismissed.

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, East, Ellerd, Fagg, Fasbender, Fleming, Glennen, Greely, Hageman, Hager, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Shelden, Staig-miller, Stephens, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: None.

Excused: None.

Absent or not voting: Ainsworth, Baucus, Bennetts, Brown, Edland, Flynn, Forsgren, Galt, Gunderson, Lucas, Lundgren, Marks, Murphy, Nichols, Regan, Roberts, Schye, Selstad, Smith, Stoltz, Towe, Ulmer, Walborn. Total 23.

## MESSAGES FROM THE SENATE

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did this day accede to the request for the return of Senate Bill No. 159 to be reconsidered by the House.

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did this day accede to the request for the return of Senate Bill



No. 381 to be reconsidered by the House.

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Lockrem, having voted on the prevailing side in adopting an adverse committee report on Senate Bill No. 179, moved that the House reconsider its action.

As a substitute motion, Tierney moved that the motion to reconsider Senate Bill No. 179 be laid on the table.

Motion carried.

Brand moved that Senate Bill No. 381 be referred to Committee on State Administration.

Motion carried.

Fasbender moved that Senate Bill No. 142 be placed on Second Reading.

Motion carried.

The Speaker appointed the following Conference Committees to meet with a like Committee from the Senate:

Senate Amendments to House Bill No. 5: Hall, Chairman, Roberts, Ainsworth.

Senate Amendments to House Bill No. 144: Lombardi, Chairman, Johnston, Cox.

Senate Amendments to House Bill No. 23: Greely, Chairman, Towe, Ainsworth.

Senate Amendments to House Bill No. 46: Swanberg, Chairman, Driscoll, Olson.

Senate Amendments to House Bill No. 246: Brand, Chairman, Quilici, Turman.

Fasbender moved that the House Adjourn until 10:00 a.m., March 2, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### FIFTY-THIRD LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
March 2, 1973

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Seifert and Holmes, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-Second Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 509, 531 and 582, and House Resolution Nos. 17 and 21.

FLEMING, Vice-Chairman

March 2, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 239 and 163.

FLEMING, Vice-Chairman

March 1, 1973

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

MURPHY

March 1, 1973

I have examined House Resolution No. 3 introduced by me and find the same to be correct.

HOLMES

March 1, 1973

I have examined House Resolution No. 4 introduced by me and find the same to be correct.

SCHEPENS

March 1, 1973

I have examined House Resolution No. 6 introduced by me and find the same to be correct

HUENNEKENS

March 1, 1973

I have examined House Resolution No. 8 introduced by me and find the same to be correct.

R. HARPER

March 1, 1973

I have examined House Resolution No. 10 introduced by me and find the same to be correct.

McKITTRICK

March 1, 1973

I have examined House Bill No. 9 introduced by me and find the same to be correct.

SHELDEN

March 1, 1973

I have examined House Bill No. 89 introduced by me and find the same to be correct.

NORMAN

March 1, 1973

I have examined House Bill No. 104 introduced by me and find the same to be correct.

BAUCUS

March 1, 1973

I have examined House Bill No. 138 introduced by me and find the same to be correct.

GLENNEN

March 1, 1973

I have examined House Bill No. 139 introduced by me and find the same to be correct.

GREELY

March 1, 1973

I have examined House Bill No. 170 introduced by me and find the same to be correct.

BAETH

March 1, 1973

I have examined House Bill No. 186 introduced by me and find the same to be correct.

HALL

March 1, 1973

I have examined House Bill No. 188 introduced by me and find the same to be correct.

TIERNEY

March 1, 1973

I have examined House Bill No. 198 introduced by me and find the same to be correct.

STOLTZ

March 1, 1973

I have examined House Bill No. 206 introduced by me and find the same to be correct.

JOHNSTON

March 1, 1973

I have examined House Bill No. 209 introduced by me and find the same to be correct.

FORSGREN

March 1, 1973

I have examined House Bill No. 230 introduced by me and find the same to be correct.

COTTON

March 1, 1973

I have examined House Bill No. 436 introduced by me and find the same to be correct.

GLENNEN

March 1, 1973

I have examined House Bill No. 486 introduced by me and find the same to be correct.

#### LIEN

The Speaker signed in open session House Joint Resolution No. 2, House Resolution Nos. 3, 4, 6, 8, and 10, and House Bills Nos. 9, 89, 104, 138, 139, 170, 186, 188, 198, 206, 209, 230, 436, 486.

March 1, 1973

Mr. Speaker: We, your majority Committee on Business and Industry, having had under consideration Senate Bill No. 220, respectfully report as follows: That Senate Bill No. 220 be amended at page 1, line 9 in the title after the word "AMENDING" delete rest of title and insert in lieu thereof "Sections 62-501 and 62-503, R.C.M. 1947."

Further amend by striking all after the enacting clause and substitute the following:

Section 1. Section 62-501 R.C.M. 1947, is amended to read as follows:

"62-501. Board of [House] horse racing [commission] created — appointment — removal — claims. There is hereby created the Montana Board of horse racing [commission], to consist of [three (3)] five (5) members, who shall be citizens, residents, and qualified electors of the state of Montana. At least one (1) member shall be a breeder of thoroughbred [or quarter] horses; one (1) member shall be a breeder of quarter horses; one (1) member shall be a member of an independent horse racing association; one (1) member shall have an occupation non-related to horse racing; and one (1) member shall be a member of a county fair board that conducts a fair featuring parimutuel betting.

[The members of said commission shall be appointed by the governor within thirty (30) days after this act takes effect, and one (1) for a term to expire on the Thursday following the second Monday in January, 1966, and one (1) for a term to expire on the Thursday following the second Monday in January, 1967, and one (1) for a term to expire on the Thursday following the second Monday in 1968, and upon the expiration of the term of any member of said commission, the governor shall appoint a successor for a term of three (3) years with the consent of the senate.]

After January 1, 1974, the governor shall appoint two (2) members for terms to expire in 1977 and one (1) member for a term to expire in 1976. Upon the expiration of the terms of members the governor shall appoint successors to the board for terms of three (3) years. The senate shall consent and concur in the appointments. This act does not affect the terms of office of the present board.

The governor shall not appoint any member who resides in a current member's county of residence, and the governor shall appoint members on the basis of experience, qualifications, and representative of a reasonable geographical balance throughout the state.

Each member shall hold office until his successor is appointed and qualified. Vacancies on the [commission] board shall be filled by appointment to be made by the governor for the unexpired term.

Any member may be removed from office by the governor for cause after a public hearing. Notice of [said] the hearing shall fix the time and place of hearing and shall specify the charges. Copy of the notice of hearing shall be served on the member by mailing the same to the member at his last known address at least ten (10) days before the date fixed for [said] the hearing."



Section 2. Section 62-403, R.C.M. 1947, is amended to read as follows:

62-503. Chairman — quorum — costs. The [commission] board shall organize by electing one (1) of its members chairman. [Two (2)] Three (3) members of the [commission] board shall constitute a quorum for the transaction of any and all business of the [commission] board.

The [commission] board may incur all [such] costs, charges and expenses as [are] reasonably necessary in carrying out the intent and purposes of this act.”, and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

LIEN  
MERCER  
OLSON  
SWANBERG

AAGESON  
QUILICI  
REGAN  
MEHRENS

March 1, 1973

Mr. Speaker: We, your minority Committee on Business and Industry, having had under consideration Senate Bill No. 220, respectfully report as follows: That Senate Bill No. 220 be amended at page 1, line 9 in the title after the word “Amending” delete rest of title and insert in lieu thereof “Sections 62-501 and 62-503, R.C.M. 1947.”

Further amend by striking all after the enacting clause and substitute the following:

Section 1. Section 62-501 R.C.M. 1947, is amended to read as follows:

“62-501. Board of [House] horse racing [commission] created — appointment — removal — claims. There is hereby created the Montana board of horse racing [commission], to consist of [three (3)] five (5) members, who shall be citizens, residents, and qualified electors of the state of Montana. At least one (1) member shall be a breeder of thoroughbred [or quarter] horses; one (1) member shall be a breeder of quarter horses; one (1) member shall be a member of an independent horse racing association; one (1) member shall have an occupation non-related to horse racing; and one (1) member shall be a member of a county fair board that conducts a fair featuring parimutuel betting.

[The members of said commission shall be appointed by the governor within thirty (30) days after this act takes effect, and one (1) for a term to expire on the Thursday following the second Monday in January, 1966, and one (1) for a term to expire on the Thursday following the second Monday in January, 1967, and one (1) for a term to expire on the Thursday following the second Monday in 1968, and upon the expiration of the term of any member of said commission, the governor shall appoint a successor for a term of three (3) years with the consent of the senate.]

After January 1, 1974, the governor shall appoint two (2) members for terms to expire in 1977 and one (1) member for a term to expire in 1976. Upon the expiration of the terms of members the governor shall appoint successors to the board for terms of three (3) years. The senate shall consent and concur in the appointments. This act does not affect the terms of office of the present board.

The governor shall not appoint any member who resides in a current member's county of residence, and the governor shall appoint members on the basis of experience, qualifications, and representative of a reasonable geographical balance throughout the state.

Each member shall hold office until his successor is appointed and qualified. Vacancies on the [commission] board shall be filled by appointment to be made by the governor for the unexpired term.

Any member may be removed from office by the governor for cause after a public hearing. Notice of [said] (the) hearing shall fix the time and place of hearing and shall specify the charges. Copy of the notice of hearing shall be served on the member by mailing the same to the member at his last known address at least ten (10) days before the date fixed for [said] (the) hearing."

Section 2. Section 62-403, R.C.M. 1947, is amended to read as follows:

"62-503. Chairman — quorum — cost. The [commission] board shall organize by electing one (1) of its members chairman. [Two (2)] Three (3) members of the [commission] board shall constitute a quorum for the transaction of any and all business of the [commission] board.

The [commission] board may incur all [such] costs, charges and expenses as [are] reasonably necessary in carrying out the intent and purposes of this act.", and

As amended, be not concurred in.

(Material in brackets denotes cancelled type.)

DRISCOLL  
KESSNER

LOCKREM  
SELSTAD

Mehrens moved for the adoption of the majority committee report.

Driscoll moved, as a substitute motion, for the adoption of the minority committee report.

The substitute motion failed by the following vote:

Ayes: Asbjornson, Baucus, Bell, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Ellerd, Fasbender, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, Harper, H., Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kessner, Kimble, Lockrem, Manuel, Marks, Mercer, Nichols, Norman, Regan, Rolfe, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Warfield, Watt, Mr. Speaker. Total 45.

Noes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Cotton, East, Edland, Fagg, Fleming, Flynn, Greely, Gunderson, Hageman, Harper, R., Huennekens, Jacobsen, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Mehrens, Menahan, Olson, Prevost, Quilici, Roberts, Schepens, Shelden, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn. Total 46.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bennetts, Brand, Brown, Hall, Murphy, Yardley, Zimmer. Total 7.

Thereupon the majority committee report was adopted.

The Speaker signed in open session Senate Joint Resolution No. 39.

March 2, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 22, respectfully report as follows: That House Resolution No. 22 do pass.

LOMBARDI, Chairman

Report adopted.

March 2, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 23, respectfully report as follows: That House Resolution No. 23 do pass.

Report adopted.

LOMBARDI, Chairman

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 306, respectfully report as follows: That Senate Bill No. 306 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 336, respectfully report as follows: That Senate Bill No. 336 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 343, respectfully report as follows: That Senate Bill No. 343 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 339, respectfully report as follows: That Senate Bill No. 339 be amended on page 1 of the Third Reading Bill, in section 1, line 22, before the word "per" by striking [twelve cents (12¢)] and inserting in lieu thereof "ten cents (10¢)", and

Further amend on page 1 of the Third Reading bill, in section 1, line 22, after the word "for" by striking the following: ["the distance actually traveled by automobile"] and inserting in lieu thereof the words "each mile of travel by the shortest regularly traveled automobile route", and

Further amend on page 2 of the Third Reading Bill, in section 2, line 12, after the word "received" by striking ["twelve cents (12¢)"] and inserting in lieu thereof the words "ten cents (10¢)", and

Further amend on page 2 of the Third Reading Bill, in section 2, line 13, after the word "mile" by striking the following: ["necessarily traveled by automobile"] and inserting in lieu thereof the words "of travel by the shortest regularly traveled automobile route", and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 403, respectfully report as follows: That Senate Bill No. 403 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 345, respectfully report as follows: That Senate Bill No. 345 be concurred in.

BRAND, Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 366, respectfully report as follows: That Senate Bill No. 366 be concurred in.

HEALY, Vice-Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 371, respectfully report as follows: That Senate Bill No. 371 be concurred in.

HEALY, Vice-Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 386, respectfully report as follows: That Senate Bill No. 386 be concurred in.

HEALY, Vice-Chairman

Report adopted.

March 1, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 52, respectfully report as follows: That Senate Bill No. 52 be not concurred in.

HEALY, Vice-Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Casties, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Manuel, Marbut, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Regan, Rolfe, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 72.

Noes: None.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Baeth, Bardanouve, Bennetts, Brand, Colberg, Edland, Ellerd, Flynn, Greely, Huennekens, Kessner, Lockrem, Lundgren, Lynch, McKittrick, Marks, Murphy, Nichols, Norman, Roberts, Schepens, Schye, Selstad, Towe, Warfield, Zimmer. Total 26.

March 1, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 360, respectfully report as follows: That Senate Bill No. 360 be amended on page 1, title, line 9, after



the word "Of" by striking the words ["Law-enforcement-and-public-safety"] and inserting in lieu thereof the word "Justice", and

Be further amended on page 2, line 1, after the word "of" by striking the words ["law-enforcement-and-public-safety"] and inserting in lieu thereof the word "justice", and

Be further amended on page 2, line 9, after the word and punctuation "period," by inserting the words and punctuation "or portion thereof," and

Be further amended on page 2, line 11, after the word "of" by striking the words ["law-enforcement-and-public-safety"] and inserting in lieu thereof the word "justice", and

Be further amended on page 2, line 12, after the word "counties", by striking the word ["only"], and

Be further amended on page 2, line 13, after the word "funds" by striking the word ["specifically"], and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

HEALY, Vice-Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 144.

The President Pro Tem appointed the following members:

Senator Bollinger, Chairman  
Senator Groff  
Senator Cochrane

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like Committee of the House to confer on Senate amendments to House Bill 46.

The President Pro Tem appointed the following members:

Senator Devine, Chairman  
Senator Nees  
Senator Klindt

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like Committee of the House to confer on Senate amendments to House Bill 23.

The President Pro Tem appointed the following members:

Senator Hall, Chairman  
Senator McOmber  
Senator McNamer

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 246.

The President Pro Tem appointed the following members:

Senator Shea, Chairman  
Senator Graham  
Senator Bennett

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 5.

The President Pro Tem appointed the following members:

Senator James, Chairman  
Senator Bertsche  
Senator Rosell

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report

on House amendments to Senate Bill No. 147 and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 17, introduced by Haines, was this day recommended that the bill be indefinitely postponed on the committee of the Whole Report, report adopted, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for nonconcurrence by Committee Reports, reports adopted on roll call vote, and the bills are herewith returned to the House:

House Bill No. 93, introduced by Swanberg, et al

House Bill No. 255, introduced by Fagg and Hager

House Bill No. 419, introduced by Tierney

House Bill No. 273, introduced by Baucus

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 85, introduced by Lockrem, et al

House Bill No. 143, introduced by R. Harper, et al

House Bill No. 304, introduced by Haines and Ainsworth

House Bill No. 333, introduced by Fasbender

House Bill No. 367, introduced by Regan and Bardanouve

House Bill No. 469, introduced by Greely, Swanberg and Regan

House Bill No. 502, introduced by Kimble, et al

Respectfully,

JOHN N. HANSON  
Acting,

Secretary of the Senate

March 1, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 236, introduced by Lucas and Zimmer

House Bill No. 238, introduced by Colberg, et al

House Bill No. 244, introduced by Lynch, et al

House Bill No. 288, introduced by Laas

House Bill No. 417, introduced by Lucas, et al

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Hall moved that the Rules be suspended and that Senate Bill No. 94 be placed on Third Reading this day.

Motion carried.

Tierney moved to take the motion to reconsider Senate Bill No. 179 from the table.

Hall moved, as a substitute motion, that the motion to take from the table be deferred to the 55th Day.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 24, introduced by Kimble, Bradley, Colberg, Harper, R., Huennekens, Regan, Holmes, Harper, H., Driscoll, Roberts, Norman, Bennetts, Baucus: A resolution of the House of Representatives of the State of Montana requesting industries engaged in strip mining, the conversion of coal into energy in electrical and gasification plants, and in the shipment of coal to give preference to Montana citizens in their employment practices. Referred to Committee on Labor and Employment Relations.

House Bill No. 594, introduced by Roberts, Brand: A bill for an act entitled: "An act to require electrified railroads to maintain electrification facilities and continue electric operations; and to provide an effective date." Referred to Committee on Business and Industry.

House Bill No. 595, introduced by Fasbender, Marbut: A bill for an act entitled: "An act for the revision of laws relating to the Department of Health and Environmental Sciences, and providing that this act is effective upon its passage and approval." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 596, introduced by Turman, Driscoll: A bill for an act entitled: "An act to impose a tax on certain emissions of sulfur oxides." Referred to Committee on Taxation.



House Bill No. 597, introduced by Baucus, Ulmer, Kimble, Regan: A bill for an act entitled: "An act appropriating one hundred twenty thousand dollars (\$120,000) from the general fund to the office of Ombudsman for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation." Referred to Committee on Finance and Claims.

House Bill No. 598, introduced by Brand, Cox, Glennen, Staigmilller: A bill for an act entitled: "An act allowing policemen and highway patrolmen to secure Social Security coverage, amending sections 59-1102.1 and 59-1108, R.C.M. 1947." Referred to Committee on State Administration.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Hall moved that all Senate amendments be deemed read in full.

Motion carried.

Senate Amendments to House Bill No. 110 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Selstad, Ulmer. Total 2.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Clemow, Colberg, Cox, Flynn, Forsgren, Roberts, Zimmer. Total 9.

Senate Amendments to House Bill No. 145 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Huernekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: East, Hubing, Selstad, Ulmer. Total 4.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Clemow, Cox, Flynn, Forsgren, Galt, Lien, Mercer, Shelden, Tierney, Zimmer. Total 12.

Senate Amendments to House Bill No. 253 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton,

Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Galt, Greely, Gunderson, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Ulmer: Total 1.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Cox, Flynn, Forsgren, Glennen, Hageman, Kessner, Lien, Lundgren, Marks, Mercer, Zimmer. Total 13.

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Aageson, Baeth, Baucus, Bell, Bradley, Brown, Burnett, Castles, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Haines, Hall, Halvorson, Harper, H., Harper R., Hodges, Holtz, Huennekens, Jacobsen, Kessner, Kimble, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, McKittrick, Nichols, Norman, Prevost, Regan, Roberts, Selstad, Shelden, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 54.

Noes: Ainsworth, Asbjornson, Barrett, Brand, Campbell, Clemow, Ellerd, Galt, Glennen, Hageman, Hager, Healy, Hubing, Johnston, Jones, Kendall, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Manuel, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Rolfe, Schepens, Schye, Smith, Stephens, Walborn. Total 35.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Edland, Forsgren, Marbut, Marks, Ulmer, Zimmer, Mr. Speaker. Total 9.

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Hall, Marbut, Marks, Ulmer, Zimmer. Total 8.

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kess-

ner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Ellerd, Fagg, Hager, Johnston, Schye. Total 5.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marbut, Marks, Ulmer, Zimmer. Total 7.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marbut, Marks, Ulmer, Zimmer. Total 7.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley. Total 84.

Noes: Bell, Castles, Glennen, Mercer, Selstad, Turner. Total 6.

Excused: Seifert. Total 1.

Paired: Holmes, aye; Bell, no.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Johnston, Marbut, Marks, Ulmer, Zimmer, Mr. Speaker. Total 9.

Senate Bill No. 124 was concurred in by the following vote.

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg,



Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Colberg, Edland, Fasbender, Forsgren, Marbut, Marks, Mercer, Selstad, Shelden, Ulmer, Zimmer. Total 13.

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marbut, Marks, Ulmer, Zimmer. Total 7.

Senate Bill No. 341 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 88.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marbut, Marks, Regan, Staigmiller, Stoltz, Ulmer, Yardley, Zimmer. Total 11.

Senate Bill No. 356 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Swanberg. Total 1.



Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marbut, Marks, Regan, Tierney, Ulmer, Zimmer. Total 9.

Senate Bill No. 408 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Hall, Yardley. Total 2.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bell, Bennetts, Fasbender, Forsgren, Lynch, Marbut, Marks, Regan, Towe, Ulmer, Zimmer. Total 12.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Colberg, East, Ellerd, Kendall, Roberts. Total 5.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Galt, Marbut, Marks, Nichols, Regan, Smith, Towe, Ulmer, Zimmer. Total 12.

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Baeth, Baucus, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, East, Ellerd, Fagg, Forsgren, Galt, Hager, Holtz, Hubing, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Mercer, Olson, Rolfe, Selstad, Smith, Walborn. Total 27.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Marbut, Marks, Regan, Towe, Ulmer, Zimmer. Total 8.

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes. None.

Excused: Seifert. Total 1.

Absent or not voting: Baeth, Bardanouve, Bennetts, McKittrick, Marbut, Marks, Nichols, Regan, Tierney, Towe, Ulmer, Zimmer. Total 12.

Senate Bill No. 203 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Cox, Driscoll, Haines, Hall, Huennekens, Johnston, Lockrem, Staig-miller, Turman. Total 9.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Colberg, Marbut, Marks, Regan, Towe, Ulmer, Zimmer. Total 9.

Senate Bill No. 207 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Harper, R., Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Mehrens, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Schye, Selstad, Shelden, Smith, Staig-miller, Stephens, Swanberg, Towe, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Bradley, Brown, Driscoll, Greely, Harper, H., Holmes, Huennekens, Kimble, Murphy, Norman, Prevost, Roberts, Schepens, Stoltz, Turman. Total 15.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Colberg, Fasbender, Fleming, Hall, Halvorson, McKittrick, Marbut, Marks, Regan, Towe, Ulmer, Zimmer. Total 14.

Senate Bill No. 211 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox,

Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-trick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Colberg, Holtz, Kimble, Marbut, Marks, Regan, Towe, Ulmer, Watt, Zimmer. Total 12.

Senate Bill No. 213 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKit-trick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, War-field, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Colberg, Kimble, Marbut, Marks, Regan, Towe, Ulmer, Watt, Zimmer. Total 11.

Senate Bill No. 230 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Brown, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Gunderson, Haines, Halvorson, Harper, H., Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kosena, Lee, Lombardi, Lund, Lundgren, Lynch, McKit-trick, Manuel, Mar-but, Mehrens, Menahan, Norman, Quilici, Roberts, Shelden, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Watt, Yardley. Total 47.

Noes: Ainsworth, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Greely, Hageman, Hager, Hall, Harper, R., Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Mercer, Murphy, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Selstad, Smith, Staig-miller, Walborn, Warfield. Total 42.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Baucus, Bennetts, Colberg, Glennen, Marks, Regan, Towe, Zimmer, Mr. Speaker. Total 10.

Senate Bill No. 238 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKit-trick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Qui-



lici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Baucus, Bennetts, Colberg, Fasbender, Hall, Marks, Nichols, Regan, Towe, Zimmer. Total 11.

Senate Bill No. 276 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Hageman, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKitt-trick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Roberts, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Ainsworth, Burnett, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Gunderson, Hager, Hubing, Kessner, Kimble, Kvaalen, Lockrem, Lucas, Mercer, Prevost, Rolfe, Selstad, Turner, Ulmer, Walborn, Warfield. Total 26.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Baucus, Bennetts, Lundgren, Nichols, Regan, Towe, Zimmer. Total 8.

Senate Bill No. 310 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Ainsworth, Driscoll, Fagg, Greely, Haines, Harper, H., Harper, R., Hubing, Kessner, Kolstad, McKittrick, Olson, Prevost, Smith, Turman, Turner, Walborn. Total 17.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Lucas, Manuel, Regan, Towe, Zimmer, Schye. Total 8.

Senate Bill No. 327 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Halvorson, Harper, R., Healy, Holmes, Jacobsen, Johnston, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Nichols, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Ulmer, Warfield, Yardley, Mr. Speaker. Total 61.

Noes: Baucus, Bradley, Clemow, Colberg, East, Ellerd, Greely, Gunderson, Hager, Haines, Hall, Harper, H., Hodges, Holtz, Hubing, Huennekens, Jones, Kendall, Kimble, Lockrem, Marbut, Murphy, Norman, Olson, Selstad, Smith, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn. Total 32.



Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Regan, Towe, Watt, Zimmer. Total 6.

Senate Bill No. 337 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 90.

Noes: Burnett. Total 1.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Baucus, Bennetts, Forsgren, Regan, Towe, Watt, Zimmer. Total 8.

Senate Bill No. 351 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 90.

Noes: Harper, R., Total 1.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Clemow, Colberg, Regan, Towe, Watt, Zimmer. Total 8.

Senate Bill No. 368 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bardanouve, Bennetts, Colberg, Fasbender, Lucas, Regan, Towe, Zimmer. Total 8.

Senate Bill No. 123 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Asbjornson, Burnett, East, Ellerd, Galt, Holtz, Hubing, Mercer, Olson, Rolfe, Schye, Selstad, Smith, Walborn. Total 14.

Excused: Seifert. Total 1.

Absent or not voting: Regan, Towe, Zimmer. Total 3.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Forsgren, Rolfe, Smith. Total 4.

Excused: Seifert. Total 1.

Absent or not voting: Jones, Kosena, Lundgren, Mehrens, Regan, Towe, Zimmer. Total 7.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Asbjornson, Burnett, Norman, Selstad, Smith. Total 5.

Excused: Seifert. Total 1.

Absent or not voting: Lundgren, Regan, Towe, Walborn, Zimmer. Total 5.

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen,

Greely, Gunderson, Hageman, Hager, Haines, Hall, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Schepens, Schye, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Asbjornson, Barrett, Burnett, East, Ellerd, Galt, Holtz, Hubing, Jones, Mercer, Olson, Rolfe, Selstad, Smith. Total 14.

Excused: Seifert. Total 1.

Absent or not voting: Halvorson, Kendall, Lundgren, Regan, Towe, Walborn, Watt, Zimmer. Total 8.

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Galt, Mercer, Schye. Total 4.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Halvorson, Kendall, Lundgren, Regan, Towe, Walborn, Watt, Zimmer. Total 10.

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanoue, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Schepens, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Asbjornson, Barrett, Burnett, Castles, Cox, East, Ellerd, Glennen, Hubing, Kolstad, Lockrem, Lund, Mercer, Olson, Rolfe, Schye, Selstad, Smith. Total 18.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Regan, Towe, Walborn, Zimmer. Total 6.

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanoue, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel,



Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Asbjornson, Barrett, Burnett, Mercer, Olson, Smith. Total 6.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Holmes, Towe, Walborn, Zimmer. Total 6.

Senate Bill No. 136 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Colberg, Haines, Schye, Towe, Ulmer, Walborn, Zimmer. Total 8.

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 90.

Noes: Burnett. Total 1.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Schye, Smith, Towe, Walborn, Yardley, Zimmer. Total 8.

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 76.



Noes: Aageson, Asbjornson, Burnett, Clemow, East, Ellerd, Forsgren, Galt, Hager, Hubing, Jones, Marbut, Marks, Mercer, Rolfe, Selstad, Smith. Total 17.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Schye, Towe, Yardley, Zimmer. Total 6.

Senate Bill No. 249 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Staigmillar, Stephens, Stoltz, Swanberg, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Aageson, Baeth, Barrett, Burnett, Forsgren, Harper, H., Harper, R., Kendall, Kolstad, Lockrem, Lucas, Marbut, Marks, Olson, Prevost, Schepens, Selstad, Shelden, Smith, Tierney, Turman, Walborn, Zimmer. Total 23.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Castles, Haines, Hall, Laas, Mercer, Towe. Total 7.

Senate Bill No. 250 was concurred in by the following vote:

Ayes: Bardanouve, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schye, Stephens, Stoltz, Swanberg, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Burnett, Cotton, Driscoll, Forsgren, Hall, Harper, H., Harper, R., Holtz, Kendall, Kolstad, Lockrem, Lucas, Marbut, Marks, Nichols, Olson, Prevost, Schepens, Selstad, Shelden, Smith, Staigmillar, Tierney, Turman, Walborn, Zimmer. Total 31.

Excused: Seifert. Total 1.

Absent or not voting: Ainsworth, Bennetts, Castles, Haines, Holmes, Lee, Mercer, Towe. Total 8.

Senate Bill No. 275 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Glennen, Turman. Total 2.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Lundgren, McKittrick, Towe, Turner. Total 6.

Senate Bill No. 361 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Ainsworth, Bradley, Brand, Burnett, Driscoll, Greely, Hodges, McKittrick, Mehrens, Tierney, Turman. Total 11.

Excused: Seifert. Total 1.

Absent or not voting: Bennetts, Haines, Lucas, Shelden, Towe. Total 5.

Senate Joint Resolution No. 14 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, Harper, H., Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: Ellerd, Harper, R., Hubing, Marks, Rolfe. Total 5.

Excused: Seifert. Total 1.

Absent or not voting: Galt, Hager, Lucas, Schye, Shelden, Tierney, Towe, Yardley. Total 8.

Senate Joint Resolution No. 31 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Ellerd. Total 1.

Excused: Seifert. Total 1.

Absent or not voting: Ainsworth, Bell, Bennetts, Clemow, Edland, Galt, Greely, Haines, Holmes, Lucas, Marks, Nichols, Schye, Selstad, Towe. Total 15.

Senate Joint Resolution No. 34 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKitt-trick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Cox, Ellerd, Hodges, Holtz, Kessner, Kvaalen, Lockrem, Marks, Olson, Selstad, Smith, Turner, Walborn. Total 13.

Excused: Seifert. Total 1.

Absent or not voting: Ainsworth, Clemow, Edland, Galt, Holmes, Lucas, Lundgren, Towe. Total 8.

Senate Joint Resolution No. 38 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Brand, Burnett, Ellerd, Hubing, Kessner, Lockrem, Olson, Rolfe, Selstad, Smith, Walborn. Total 11.

Excused: Seifert. Total 1.

Absent or not voting: East, Edland, Holmes, Jacobsen, Lucas, Nichols, Schye, Shelden, Towe, Watt. Total 10.

Shelden moved that Senate Bill No. 94 be amended in Section 14, page 27, line 21, after the words and numeral "five percent (5%)" by deleting the words ["of the";] (89-0)

And further amend in Section 23-I the committee amendment on page 33, line 14, by deleting the period and inserting "shall be paid before the permit required in this section shall be issued:" (91-0)

And further amend in Section 26 on page 35, lines 4, 5 and 6, by deleting all of the material therein through the words and punctuation "[increase approved]", on line 6. (89-0).

(Material in brackets denotes cancelled type.)

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens,



Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Seifert. Total 1.

Absent or not voting: Clemow, Holmes, Kendall, Towe. Total 4.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 506 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bradley, Brand, Colberg, Cotton, Driscoll, East, Edland, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Ainsworth, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, Ellerd, Fagg, Galt, Haines, Jones, Kolstad, Laas, Lockrem, Lucas, Lundgren, Mercer, Rolfe, Selstad, Smith, Tierney, Towe, Walborn. Total 25.

Excused: Seifert. Total 1.

Paired: Holmes, aye; Lockrem, no.

Absent or not voting: Bardanouve, Bennetts, Fasbender, Forsgren, Marks, Schye, Zimmer. Total 7.

House Bill No. 513 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Kolstad, Rolfe, Walborn. Total 4.

Excused: Holmes, Seifert. Total 2.

Absent or not voting: Bardanouve, Bennetts, Fasbender, Forsgren, Marks, Zimmer. Total 6.

House Bill No. 532 was passed by the following vote:

Ayes: Baeth, Baucus, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 66.



Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, East, Ellerd, Galt, Glennen, Haines, Holtz, Hubing, Jones, Kessner, Kolstad, Lockrem, Lundgren, Manuel, Mercer, Rolfe, Schye, Selstad, Smith, Walborn. Total 28.

Excused: Seifert. Total 1.

Paired: Holmes, aye; Lockrem, no.

Absent or not voting: Bardanouve, Bennetts, Forsgren, Marks, Zimmer. Total 5.

Fasbender moved that the House recess until 1:00 p.m.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Manuel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 78 be not concurred in (61-1).

That Senate Amendments to House Bill No. 84 be concurred in (73-0).

That Senate Amendments to House Bill No. 126 be concurred in (67-0).

That Senate Amendments to House Bill No. 296 be concurred in (68-1).

That Senate Amendments to House Bill No. 368 be not concurred in (42-33).

That Senate Amendments to House Bill No. 142 be not concurred in (70-1).

That Senate Bill No. 214 be amended in section 1, subsection d, page 2, line 4 of the Senate Third Reading Bill and not in Introduced Bill by deleting the word ["After"] and inserting in lieu thereof the word "Without", (38-21)

(Material in brackets denotes cancelled type.)

And as amended, be passed to the bottom of the board.

That Senate Bill No. 233 be placed below Senate Bill No. 235.

That Senate Bill No. 235 be concurred in (77-0).

That Senate Bill No. 233 be concurred in (74-18).

That Senate Bill No. 304 be concurred in (79-0).

That Senate Bill No. 338 be concurred in (70-0).

That Senate Bill No. 362 be concurred in (73-1).

That Senate Bill No. 365 be concurred in (76-0).

That Senate Bill No. 369 be concurred in (72-5).  
That Senate Bill No. 370 be concurred in (71-1).  
That Senate Bill No. 380 be concurred in (68-3).  
That Senate Bill No. 383 be concurred in (87-5).  
That Senate Bill No. 435 be concurred in (67-1).  
That Senate Bill No. 28 be passed for the day.  
That Senate Bill No. 127 be concurred in (72-0).  
That Senate Bill No. 128 be concurred in (71-0).  
That Senate Bill No. 129 be concurred in (57-40).  
That Senate Bill No. 133 be concurred in (74-10).  
That Senate Bill No. 159 be concurred in (64-20).  
That Senate Bill No. 237 be concurred in (84-1).  
That Senate Bill No. 309 be concurred in (81-4).  
That House Bill No. 437 do not pass (59-38).  
That Senate Bill No. 445 be concurred in (64-31).  
That the Committee rise and report.

MANUEL, Chairman

Report adopted.

#### REPORTS OF STANDING COMMITTEES

March 1, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Resolutions Nos. 22 and 23, and House Bill No. 517.

QUILICI, Chairman

#### REPORTS OF SELECT COMMITTEES

March 1, 1973

Senate Bill 389

#### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 389, beg leave to report as follows:

That we met this day and considered House Committee on Constitution Elections and Federal Relations Amendments dated February 21, 1973, to Senate Bill No. 389, and recommend as follows:

That the House recede from the House Committee on Constitution, Elections and Federal Relations amendments dated February 21, 1973, in the title by reinserting the stricken material on lines 8 through 10, except for the word "And" as follows: "That the number of deputy registrars for each precinct shall always be equally divided between the two (2) political parties;" And in that reinserted material on line 8 of the blue Senate bill by inserting the word "Appointed" after the word "Of" and on line 9 by striking the word "[Precinct]" and inserting in lieu thereof the word "County"

And further that the House recede from the House Committee on Constitution, Elections and Federal Relations amendments dated February 21, 1973 in Section 1, subsection (2), page 2 of the blue Senate bill by reinserting the stricken material in lines 4 through 7: "The number of deputy registrars for each precinct shall always be equally divided between the two (2) major political parties." and in that reinserted material on line 5 after the word "of" by inserting the word "appointed" and further on that line by striking the word "[precinct]" and inserting in lieu thereof the word "county"

And further that the Senate accede to all other House Committee on Constitution, Elections and Federal Relations amendments dated February 21, 1973, and that Senate Bill No. 389 be concurred in.

(Material in brackets denotes cancelled type.)

For the Senate: BOLLINGER  
FLYNN  
BENNETT

For the House: GREELY ✓  
MURPHY  
H. HARPER ✓

Greely moved for adoption of the committee report and that the committee be dissolved.

Motion carried by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Tierney. Total 1.

Excused: Seifert. Total 1.

Absent or not voting: Ainsworth, Colberg, Cox, East, Galt, Lundgren, Lynch, Nichols, Quilici, Regan, Towe, Ulmer. Total 12.

March 2, 1973

Senate Bill No. 12

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 12, beg leave to report as follows:

That we met this day and considered House Committee of the Whole Amendment, and recommend as follows:

That the House recede from the House Committee amendments.

For the Senate: McDONALD  
McNAMER  
GOODHEART

For the House: NORMAN ✓  
MENAHAH ✓  
WARFIELD ✓

Norman moved for adoption of the committee report and that the committee be dissolved.

Motion carried by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greeley, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, R., Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker, Total 78.

Noes: Asbjornson, Barrett, Harper, H., Holtz, Lockrem, Mercer, Tierney, Ulmer. Total 8.

Excused: Seifert. Total 1.

Absent or not voting: Ainsworth, Bennetts, Castles, Edland, Ellerd, Galt, Nichols, Olson, Quilici, Smith, Swanberg, Turner, Walborn. Total 13.

### MOTIONS AND RESOLUTIONS

McKittrick moved that House Bill No. 153 be taken from Enrolling and be returned to Second Reading.

Motion carried.

Fagg moved that the Speaker appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 78.

Motion carried.

Fasbender moved that the Speaker appoint conference committees of three to meet with like committees from the Senate to consider Senate Amendments to House Bills Nos. 368 and 142.

Motion carried.

Representatives Lucas and Lombardi rose on point of privilege, in regard to stories written by one newsman.

Lombardi moved that the person be reprimanded and that the matter be referred to the Rules Committee.

Motion carried.

Brand moved that House Bill No. 594 be taken from Committee on Business and Industry and be referred to Committee on Judiciary.

Motion carried.

Brand moved that Senate Bill No. 300 be taken from Committee on Natural Resources and be rereferred to Committee on State Administration.

Motion carried.

Fasbender moved that the House adjourn until 10:00 a.m., March 3, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk



## FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 3, 1973

House convened pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Seifert, Ellerd, Burnett, East, and Nichols, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 53rd Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 63, 115, 129, 164, 190, 191, 219, 252, 267, 315, 362, 364, 408, 416, 434, 472 and House Joint Resolutions Nos. 32 and 34.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 9, 89, 104, 138, 139, 170, 186, 188, 198, 206, 209, 230, 436, 486 and House Joint Resolution No. 2, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on bills, beg leave to report the following bill correctly engrossed: House Bill No. 578.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 217 and House Resolution No. 19.

QUILICI, Chairman

March 2, 1973

I have examined House Bill No. 434 introduced by me and find the same to be correct.

GLENNEN

March 2, 1973

I have examined House Bill No. 219 introduced by me and find the same to be correct.

HAINES

March 2, 1973

I have examined House Bill No. 416 introduced by me and find the same to be correct.

MURPHY

March 2, 1973

I have examined House Bill No. 408 introduced by me and find the same to be correct.

LIEN

March 2, 1973

I have examined House Bill No. 315 introduced by me and find the same to be correct.

KIMBLE

March 2, 1973

I have examined House Joint Resolution No. 34 introduced by me and find the same to be correct.

COLBERG

March 2, 1973

I have examined House Bill No. 239 introduced by me and find the same to be correct.

COLBERG

March 2, 1973

I have examined House Bill No. 115 introduced by me and find the same to be correct.

LOMBARDI

March 2, 1973

I have examined House Bill No. 63 introduced by me and find the same to be correct.

McKITTRICK

March 2, 1973

I have examined House Bill No. 164 introduced by me and find the same to be correct.

McKITTRICK

March 2, 1973

I have examined House Bill No. 191 introduced by me and find the same to be correct.

GUNDERSON

March 2, 1973

I have examined House Bill No. 190 introduced by me and find the same to be correct.

GUNDERSON

March 2, 1973

I have examined House Bill No. 472 introduced by me and find the same to be correct.

BARRETT

March 2, 1973

I have examined House Bill No. 129 introduced by me and find the same to be correct.

COX

March 2, 1973

I have examined House Bill No. 267 introduced by me and find the same to be correct.

YARDLEY

March 2, 1973

I have examined House Bill No. 364 introduced by me and find the same to be correct.

BARDANOUE

March 2, 1973

I have examined House Joint Resolution No. 32 introduced by me and find the same to be correct.

BARDANOUE

March 2, 1973

I have examined House Bill No. 252 introduced by me and find the same to be correct.

BRADLEY

March 2, 1973

I have examined House Bill No. 163 introduced by me and find the same to be correct.

GREELY

The Speaker signed in open session House Bills Nos. 434, 219, 416, 408, 315, 239, 115, 63, 164, 191, 190, 472, 129, 267, 364, 252, and 163, and House Joint Resolutions Nos. 32 and 34.

March 3, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 376, respectfully report as follows: That Senate Bill No. 376 be amended in section 1, subsection (1) (b), page 2, starting with the words "only when" on line 1, through and including line 10, by striking the material contained therein in its entirety, and inserting in lieu thereof the following material: "except that when necessary such tuition may be waived in excess of two percent (2%) of unit enrollment for non-resident students who enroll under provisions of agreements created with the western interstate commission for higher education.", and

Be further amended in section 1, subsection (1) (c), page 2, line 15, after the word "for" by inserting the words "a limited number of", and

Be further amended in section 1, subsection (1) (c), page 2, line 16, after the word "athletes" by inserting the words "at each unit", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

#### MESSAGES FROM THE SENATE

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report on Senate amendments to House Bill No. 100, and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

Mr. Speaker:

March 2, 1973

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report on House amendments to Senate Bill No. 359, and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report on House amendments to Senate Bill No. 5, and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

#### MOTIONS AND RESOLUTIONS

Cox moved that House Bill No. 497 be taken from Committee on Finance and Claims and be placed on Second Reading. Cox requested a roll call vote with the Ayes and Nays spread upon the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glen-nen, Hager, Harper, H., Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 44.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 56.

Paired: East, aye; Cotton, no; Burnett, aye; Colberg, no; Seifert, aye; Gunderson, no; Nichols, aye; Huennekens, no; Ellerd, aye; Yardley, no.

Excused. None.

Absent or not voting: None.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second reading under the rules of the previous sitting.

Motion carried.

Lund in the Chair. Committee arose.

Mr. Speaker in the Chair.



Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Joint Resolution No. 18 be amended in the first Whereas after line 18, page 1 of the Senate Third Reading Bill by adding the following new material: "Whereas the Legislative Assembly now has before it bills which, if enacted, would allow limited games of chance in the form of bingo and raffles, and" (53-40)

And further amend the second Whereas, line 22, page 1 of the Senate Third Reading Bill, as amended by the House Select Committee on Gambling, by adding after the word "numerous" the word "other" (67-19)

And further amend Hall's amendment by striking the word "[lotteries]" and inserting in lieu thereof the word "raffles"

And be further amended by adding the following amended second and third resolution, page 2, line 14, of the Senate Third Reading Bill, as amended by the House Select Committee on Gambling, by adding after the word "wagering" the words "excepting bills relating only to bingo and raffles" (56-30)

And further amend on page 2, line 24, of the Senate Third Reading Bill as amended by the House Select Committee on Gambling, by adding after the word "wagering" the words "excepting bills relating only to bingo and raffles" (56-30)

And further amend on page 2, line 22 of the Senate Third Reading Bill by adding the following words and underlining before the punctuation ",", "And to hold public hearings for the purpose of ascertaining the views of the people of Montana on the subject of gambling," (84-3)

And as amended, be concurred in. (55-40)

(Material in brackets denotes cancelled type.)

That the Committee rise and report.

LUND, Chairman

Report adopted.

#### MESSAGES FROM THE GOVERNOR

March 3, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 11, 59, 70, 114, 172, 182, 215, 376, 380, and 382.

Sincerely,  
THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

#### MESSAGES FROM THE SENATE

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 328 was this day on Committee of the Whole recommended that

further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by Committee Reports that the bills be not concurred in, report adopted on roll call, and the bills are herewith returned to the House.

House Bill No. 562, introduced by Huennekens.

House Bill No. 538, introduced by Hall.

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

#### MOTIONS AND RESOLUTIONS

Hall moved that the Conference Committee on House Bill No. 5 be dissolved and that the Speaker appoint a Free Conference Committee.

Motion carried.

The Speaker appointed the following to this Free Conference Committee: Hall, chairman; Roberts and Ainsworth.

Fasbender moved that House Bill No. 94 be recalled from the Senate for further consideration.

Motion carried.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lund in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 166 do pass (84-0).

That House Bill No. 97 be amended in section 3, page 2, following subsection 4 by adding a new subsection 5 which reads as follows: "Department" means Department of Revenue" (77-0)

And be further amended on page 6, section 11, line 13 following the word "section" by striking the figures "[84-7004]" and inserting in lieu thereof the figures "84-7005" (72-0)

And as amended, do pass (86-1).

That House Bill No. 517 do pass (85-0).

That House Bill No. 509 be amended in section 1, page 4, subsection (2) (a), line 1, of the second reading bill, being page 3, section 1, subsection (2) (a), line 24, of the introduced bill, by deleting the words and figures ["eighteen cents (\$.18)",] and inserting in lieu thereof the words and figure "fifty cents (\$.50)"

And further amend on page 4, section 1, subsection (2) (b), lines 3 and 4 of the second reading bill, being page 4, section 1, subsection (2) (b), lines 1 and 2 of the introduced bill, by deleting the words and figures ["twenty-two cents (\$.22)"] and inserting in lieu thereof the words and figures "seventy-five cents (\$.75)"

And further amend on page 4, section 1, subsection (2) (c), line 7 of the second reading bill, being page 4, section 1, subsection (2) (c), line 4 of the introduced bill, by deleting the words and figures ["twenty-seven cents (\$.27)"] and inserting in lieu thereof the words and figures "eighty-five cents (\$.85)"

And further amend on page 4, section 1, subsection (2) (d), line 9 of the second reading bill, being page 4 - a newly added subsection (d) to the introduced bill, by deleting the words and figures ["thirty-three cents (\$.33)"] and inserting in lieu thereof the words and figures "one dollar (\$1.00)"

And as amended, be passed for the day.

That House Bill No. 467 do not pass (54-38).

That Senate Joint Resolution No. 28 be amended by adding at the end of the Third Reading Bill the following new material: "Be it further resolved that such encouragement shall include, but not be limited to, free trips to visit the Senate of the state of Montana at the expense of the Senators then in office, and an annual award of Headlight of the Year" to be selected and paid for annually by the Senate Majority and Minority leader and awarded to that person determined by the Senate Committee on Committees to have the Shiniest Headlight in Montana.

And be it further resolved that copies of this resolution be sent by the Secretary of the Senate to the publisher of each newspaper in the state.

And be it further resolved that this resolution shall be effective on passage and approval."

And further amend by adding at the end of the title, page 1, line 7 the words, " and providing an effective date." (62-7)

And as amended, be concurred in (73-4).

(Material in brackets denotes cancelled type.)

That the Committee rise and report.

LUND, Chairman

Report adopted.

## MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 65 be taken from Committee on Natural Resources and be rereferred to Second Reading.

Motion carried.

Driscoll, having voted on the prevailing side in adopting an adverse Second reading report on House Bill No. 437, moved that the House reconsider its action.

As a substitute motion, Fasbender moved that the motion to reconsider be laid on the table.

Motion carried.

Fasbender moved that the House recess until 1:00 p.m. this day.

Motion carried.

House in recess.

### AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

March 3, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 38 respectfully report as follows: That House Joint Resolution No. 38 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 301, respectfully report as follows: That Senate Bill No. 301 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

LEE, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 397, respectfully report as follows: That Senate Bill No. 397 be concurred in.

LEE, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 406, respectfully report as follows: That Senate Bill No. 406 be amended on page 1, section 1, line 25 of the third reading and the original bill after the word "sell" by striking ["the aforesaid products to certified pharmacies,"] and insert in lieu thereof "to retail stores only.", and

Further amend on page 2, lines 1 through 8 by striking the material therein in its entirety as follows ["Section 2. It shall be unlawful to exhibit or display, for the purpose of selling, offering for sale or giving away, contraceptives or prophylactic products for the prevention of venereal disease, or the containers or packages thereof, except in the places of business of regularly licensed practitioners and registered pharmacists. Such products shall be advertised in a manner that is discreet and tasteful."] and inserting in lieu thereof "Section 2. It shall be unlawful to exhibit or display prophylactics or contraceptives in any show window, upon the streets, or in any public place other than in the place of business of a licensed pharmacist, or to advertise such in any magazine, newspaper or other form of publication, originating in, or published within the state of Montana; to publish, or distribute from house to house or upon the streets, any circular, booklet or other form of advertising, or by other visual means, or by auditory method or by radio broadcast; or by the use of outside signs on stores, billboards, window displays or other advertising visible to persons upon the streets



or public highways; provided, however, that nothing in this act shall prevent the advertising of prophylactics or contraceptives in the trade press of those magazines whose principal circulation is to the medical and pharmaceutical professions; or to those magazines and other publications having interstate circulation, originating outside of the state of Montana where the advertising does not violate any United States law or federal postal regulation; nor to the furnishing within the store or place of business of a licensed pharmacist, to persons qualified to purchase, and then only upon their inquiry, such printed or other information as is requisite to proper use in relation to any merchandise coming within the provisions of this act.”] and

Further amend on page 2, section 2, line 13 after the word “act” by striking the following material [“by licensed practitioners, registered pharmacists or by duly authorized persons in schools, in state and county health facilities and departments, in medical facilities at institutions of higher learning or at other agencies and instrumentalities of the state”],

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 196, respectfully report as follows: That Senate Bill No. 196 be amended on page 4, section 1, subsection (1), line 21 of the third reading bill (this material not being in the original bill) by striking after the word “And” the word “[Therapeutic]”, and

Further amend on page 5, section 1, subsection (2), line 17 of the third reading bill (this material not contained in the original bill) after the word “Care” by striking “[Of]” and inserting in lieu thereof “or medically related”, and

Further amend on page 5, section 1, subsection (2), line 20 (this material not contained in the original bill) after the word “Infirmaries” by striking “[Mental health, mental retardation, homes for the develop mentally disabled]” and inserting in lieu thereof, “state mental health and mental retardation institutions”, and

Further amend on page 7, section 1, subsection (c), line 2 of the third reading bill (being page 5, section 1, subsection (c), line 25 of the original bill) after the word “supervision” by striking “[of: medical evaluation and services, and psychological, social or vocational evaluation and services]” and inserting in lieu thereof “including: medical services and evaluation; and psychological, social and vocational services and evaluation”, and

Further amend on page 7, section 1, subsection (d), line 6 of the third reading bill (being page 6, section 1, subsection (d), line 4 of the original bill) after the word “to” by striking “[a total of two (2) or more persons who”], and inserting in lieu thereof “more than two (2) persons who by reason of illness or disability”,

And as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 3, 1973

House Bill 144

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 144, beg leave to report as follows:

That we met this day and considered Senate Committee on Local Government amendments dated February 22, 1973, to House Bill No. 144 and recommend as follows:

That the Senate recede from the Senate Committee on Local Government Amendment to House Bill 144, dated February 22, 1973, and that House Bill No. 144 be concurred in.

For the House:

JERRY LOMBARDI, Chairman

GEORGE JOHNSTON

HENRY COX

For the Senate:

GORDON BOLLINGER, Chairman

W. A. GROFF

ARCHIE COCHRANE

Lombardi moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Castles, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Hageman, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Jacobson, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Smith, Staigmillier, Stephens, Stoltz, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: None.

Excused: Burnett, East, Ellerd, Lockrem, Nichols, Seifert. Total 6.

Absent or not voting: Bell, Brand, Campbell, Clemow, Cotton, Fleming, Flynn, Greely, Gunderson, Hager, Huennekens, Jones, Laas, Lundgren, Marks, Roberts, Schye, Selstad, Shelden, Swanberg, Tierney, Towe, Ulmer. Total 23.

## MESSAGES FROM THE SENATE

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 49, introduced by Bardanouve

House Bill No. 54, introduced by R. Harper, Lucas, et al

House Bill No. 96, introduced by Edland, Prevost, et al

House Bill No. 127, introduced by Bardanouve, Gerke, et al

House Bill No. 131, introduced by Lynch, Lee, et al

House Bill No. 211, introduced by Towe, McKittrick, et al  
House Bill No. 270, introduced by Swanberg, Hodges, et al  
House Bill No. 275, introduced by Flynn and Clemow  
House Bill No. 402, introduced by Greely, Mercer, et al  
House Bill No. 403, introduced by Greely, Glennen  
House Bill No. 468, introduced by Gunderson, Clemow, et al  
House Bill No. 571, introduced by Bardanouve, et al  
House Joint Resolution No. 16, introduced by Baeth, et al

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

March 2, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolutions were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 13, introduced by Sheldon and Lucas  
House Bill No. 82, introduced by Hager, et al  
House Bill No. 105, introduced by Cox, et al  
House Bill No. 204, introduced by McKittrick, et al  
House Bill No. 226, introduced by Hall  
House Bill No. 277, introduced by Lowe and Norman  
House Bill No. 321, introduced by Lee, et al  
House Bill No. 332, introduced by Ulmer  
House Bill No. 344, introduced by Towe, et al  
House Bill No. 393, introduced by Brand  
House Bill No. 365, introduced by Norman  
House Bill No. 397, introduced by Towe  
House Bill No. 404, introduced by Driscoll and Roberts  
House Bill No. 420, introduced by Tierney  
House Bill No. 504, introduced by Lee  
House Joint Resolution No. 21, introduced by Cox, Smith, and Walborn  
House Joint Resolution No. 22, introduced by Bardanouve and Bennett

Respectfully,

JOHN N. HANSON  
Acting, Secretary of  
the Senate

The Speaker appointed the following conference committees to meet with like committees from the Senate:

Senate Amendments to House Bill No. 368: Halvorson, Chairman; Towe, Schye.

Senate Amendments to House Bill No. 78: Staigmiller, Chairman; Huennekens, Fagg.

Senate Amendments to House Bill No. 142, Mehrens, Chairman; Gunderson, Glennen.

Fasbender moved that the House adjourn until 1:30 p.m., March 5, 1973.

Motion carried.

House adjourned.

ED SMITH, Chief Clerk

HAROLD E. GERKE, Speaker

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## FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 5, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Reverend Dean Brown and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Brand, Cox, Kimble and Staigmiller, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-Fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 518.

QUILICI, Chairman

March 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 517 and 166.

QUILICI, Chairman

March 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 10 and House Bills Nos. 491, 218, 261, 183 and 263.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the fol-



lowing bills correctly enrolled: House Joint Resolution No. 9, and House Bills Nos. 100, 174, 229, 235, 245, 271, 312, 374, 400, 431, 459, 484 and 504.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 63, 115, 129, 163, 164, 190, 191, 219, 239, 252, 267, 315, 364, 408, 416, 434, 472 and House Joint Resolutions Nos. 32 and 34, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 3, 1973

I have examined House Joint Resolution No. 9 introduced by me and find the same to be correct.

TURMAN

March 3, 1973

I have examined House Bill No. 459 introduced by me and find the same to be correct.


MARKS

March 3, 1973


I have examined House Bill No. 484 introduced by me and find the same to be correct.

HAGER

March 3, 1973

I have examined  House Bill No. 374 introduced by me and find the same to be correct.

SCHYE

 March 3, 1973

I have examined House Bill No. 362 introduced by me and find the same to be correct.

MARKS

March 3, 1973

I have examined House Bill No. 245 introduced by me and find the same to be correct.

JOHNSTON

March 3, 1973

I have examined House Bill No. 235 introduced by me and find the same to be correct.

BARRETT

March 3, 1973

I have examined House Bill No. 229 introduced by me and find the same to be correct.

COTTON

March 5, 1973

I have examined House Bill No. 218 introduced by me and find the same to be correct.

BURNETT

February 26, 1973

I have examined House Bill No. 130 introduced by me and find the same to be correct.

ZIMMER

March 3, 1973

I have examined House Bill No. 100 introduced by me and find the same to be correct.

LYNCH

The Speaker signed in open session House Joint Resolution No. 9 and House Bills Nos. 459, 484, 374, 362, 245, 235, 229, 218, 130 and 100; Senate Bills Nos. 189, 242, 258, 273, 353, and 436; and Senate Joint Resolutions Nos. 21, 23, 24, 25 and 30.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

FLEMING, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

WATT, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 327 respectfully report as follows: That House Bill No. 327 do not pass.

WATT, Chairman

Marks moved, as a substitute motion, that House Bill No. 327 be printed and placed on Second Reading.

Motion carried

March 3, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 292, respectfully report as follows: That Senate Bill No. 292 be concurred in.

LAAS, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 407, respectfully report as follows: That Senate Bill No. 407 be concurred in.

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86 be amended on page 3, line 5, of the Senate Third Reading and Introduced bills, after the word "warehouse" by

adding the following new material, "(12) Bin run seed sales from one farmer to another farmer mean buyer beware and are exempt from this act."

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 431, respectfully report as follows: That Senate Bill No. 431 be amended on page 3 of the third reading bill, in section 2, line 14, after the word "of" by striking the words ["twelve (12)"] and inserting in lieu thereof the words "six (6)", and

Further amend on page 8 of the third reading bill, in section 6, line 18 through and including line 3 on page 9, by striking subsection (2) in its entirety, and

Further amend on page 9 by renumbering subsequent subsections to conform numerically, and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be amended in the title of the third reading bill, line 11, after the word ["Committee,"] by striking the following: ["Providing for the attorney general to act upon reported violations,"] and

Further amend on page 4 of the third reading bill, section 8, subsection (3), line 13 after the word "violation." through and including line 25, by striking all the material contained therein, and

Further amend on page 7 of the third reading bill, section 12, subsection (4), line 19, after the word "misdemeanor" by deleting the following material: ["and shall be fined not less than five hundred dollars (\$500) to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction,"] and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 590, respectfully report as follows: That House Bill No. 590 do pass.

BRAND, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 180, respectfully report as follows: That Senate Bill No. 180 be concurred in.

BRAND, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 393, respectfully report as follows: That Senate Bill No. 393 be concurred in.

BRAND, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be concurred in.

LAAS, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 208, respectfully report as follows: That Senate Bill No. 208 be amended on page 1, line 7, title, following the word "Regulations" and before the punctuation ";," by adding the following "And in default thereof providing for the promulgation of departmental minimum requirements; providing for the submission of environmental assessments", and

Further amend on page 3, section 3, subsection (6), line 7, following the words "division of " by striking the words ["a tract or parcel of"] and on line 8 following the word and punctuation "lots," by adding the word and punctuation "parcels," and

Further amend on page 3, section 3, subsection (7), line 10, following the words "means a" by adding the words "neat and", and

Further amend on page 3, section 3, subsection (7), line 11, following the word "subdivision" by adding the following "showing the layout of streets, alleys, parcels, lots, and blocks", and

Further amend on pages 4 and 5, section 3, subsection (12), lines 8 through 25, page 4, and lines 1 through 6 on page 5 by striking them in their entirety and inserting in lieu thereof this new subsection (12), "(12) "Subdivision" means the division of land, or land so divided, into two (2) or more lots or parcels, whether contiguous or not, any of which is forty (40) acres or less, exclusive of public roadways, in order that the title or possession or any interest therein may be sold, rented, leased, or otherwise conveyed, either immediately or in the future, whether the division is made by reference to a map or survey or by a metes- and-bounds description, and shall include any condominium, space for camping trailers, house trailers, or mobile or prefabricated homes, as well as any resubdivision of land; provided further that a division of land is a subdivision when the division creates a second or any subsequent lot or parcel for the purpose of sale, rent, lease, or other conveyance from a tract of land held in single or undivided ownership on July 1, 1973, where any of the lots or parcels segregated from the original tract if forty (40) acres or less exclusive of public roadways; the plat of the subdivision so created shall show all of the lots or parcels segregated from the original tract whether contiguous or not.

The survey requirements of this act shall not apply to lots or parcels which can be described as a quarter section or a United States government lot.", and

Further amend on page 5, section 4, subsection (1), line 8, following the word "all" by striking the word ["Subdivision"] and insert in lieu thereof the words "division of real property", and

Further amend on page 5, section 4, subsection (1), line 12, by striking the words [" or divisions"] and insert in lieu thereof the words "into lots,



tracts, or parcels any of which is forty (40) acres or less in size and cannot be described as a quarter section or a United States government lot, or into tracts", and

Further amend on page 6, section 4, subsection (2), lines 8 and 9, following the word "and" by striking "[Soils and ground water investigations]", and

Further amend on line 12 following the word "Engineer" and before the word "In" by adding the words "or a registered land surveyor as their respective licensing laws allow", and

Further amend on page 7, section 4, subsection (4), subparagraph (e), lines 13 and 14 by striking them in their entirety and inserting in lieu thereof a new subparagraph (e) which reads as follows "(e) which is made for the purpose of a gift or sale to any member of the landowner's immediate family;", and

Further amend on page 7, section 4, subsection (4), subparagraph (e), following line 14 by adding a new subparagraph to read as follows "(f) which is leased or rented for farming and agricultural purposes.", and

Further amend on page 8, section 5, subsection (1), line 9, following the word "avoidance" and before the word "of" by adding the words "or minimization", and further amend on line 10 by striking the words ["subdivision which would involve inordinate",] and further amend on line 11 following the word "degradation" by striking the word ["or"] and inserting in lieu thereof the punctuation and words ", and the avoidance of", and

Further amend on page 8, section 5, subsection (1), following line 15 by adding the following new paragraph "Prior to adopting or amending subdivision regulations pursuant to this act, the governing body shall submit the proposed regulations or amendments to the department of intergovernmental relations for review.", and

Further amend page 8, section 5, subsection (2), line 24 by striking the word ["The"] and inserting in lieu thereof the following words "Not later than December 31, 1973, the ", and

Further amend page 9, section 5, subsection (2), line 2 by striking the first five words in the line ["minimum administrative and review procedures"] and inserting in lieu thereof the following "model subdivision rules and minimum requirements in accordance with the Montana Environmental Policy Act", and

Further amend page 9, section 5, subsection (2), line 4 following the word and punctuation "act." by adding the following new sentence, "The subdivision rules and minimum requirements shall include detailed criteria for the content of the environmental assessment required by this act.", and

Further amend page 9, section 5, subsection (2), line 5 by striking the first word ["department"] and inserting in lieu thereof the following words "governing body", and

Further amend page 9, section 5, subsection (2) following line 12, by adding two new subsections to read as follows, "(3) In prescribing the minimum contents of the subdivision regulations, the department of intergovernmental relations shall require the submission by the subdivider to the governing body of an environmental assessment conforming to minimum requirements promulgated by the department of intergovernmental relations.

(4) The environmental assessment shall accompany the preliminary plat and shall include:

(a) a description of every body or stream of surface water, and a complete report of such groundwater as may be affected by the proposed subdivision, and a description of the topography (including elevations above

sea level), vegetation and wildlife use within the area of the proposed subdivision;

(b) reports concerning geology of the area with emphasis on identifying and describing geological hazards to the proposed developments;

(c) maps and tables showing soil types in the several parts of the proposed subdivision, and their suitability for any proposed developments in those several parts;

(d) a community impact report containing a statement of anticipated needs of the proposed subdivision for local services, including education and busing, roads and maintenance, water, sewage, and solid waste facilities, and fire and police protection.”, and

Further amend page 9, section 5, subsection (3), line 13 by renumbering subsection “[ (3) ]” to subsection “(5)”, and

Further amend page 9, section 5, subsection (4), line 23 by renumbering subsection “[ (4) ]” to read subsection “(6)”, and

Further amend page 9, section 5, subsection (4), line 24 following the word “The” and before the word “Regulations” by adding the words “specific dimensional requirements of the”, and

Further amend page 10, section 5, subsection (5), line 5 by renumbering the subsection “[ (5) ]” to read subsection “(7)” and on line 8 following the word “body” by striking the words “[may accept]” and inserting in lieu thereof the words “shall require”, and

Further amend page 10, section 5, subsection (5), following line 13 by adding a new subsection to read as follows, “(8) In the event that any governing body has not adopted subdivision regulations by July 1, 1974, which meet or exceed the minimum requirements, the department shall, no later than January 1, 1975, promulgate regulations to be enforced by the governing body. If at any time thereafter the governing body adopts its own subdivision regulations, these shall supersede those promulgated by the department but shall be no less stringent.”, and

Further amend page 10, section 6, subsection (1), line 25 following the word “lots” and before the word “are” by adding the words “or parcels”, and

Further amend page 11, section 6, subsection (2), line 12 following the words “ of the ” by striking the word “[unsubdivided]” and inserting in lieu thereof the word “subdivided”, and

Further amend page 16, section 9, subsection (2), line 9, following the striking them in their entirety. and

Further amend page 13, section 8, subsection (2), lines 24 and 25 following the word “within” by striking the words and figures “[forty-five (45) days]” and inserting in lieu thereof the words and figures “sixty (60) days”, and

Further amend page 14, section 8, subsection (3), line 11 following the word “Welfare” by adding the punctuation and words “, including the environmental assessment.”, and

Further amend page 16, section 9, subsection (1), line 7 following the word “interest” by striking the words “[other than as draftsman of the plat]”, and

Further amend page 16, section 9, subsection (2), line 9 following the word “it” by striking the words “[for record]”; and further amend line 9 following the word “when” by adding the punctuation and words “, and only when.”; and further amend on line 11 following the word “plat” by adding the words “and to the terms of this act and regulations adopted pursuant thereto”, and

Further amend page 21, section 18, line 5 following the word "separate" and before word "parcel" by adding the word and punctuation "lot,"; and further amend line 5 following the word "parcel" and before the word "of" by adding the punctuation and word ", or acre"; and further amend line 9 following the word "land" by adding the punctuation and words "(whichever is lesser in area)".

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 245, respectfully report as follows: That Senate Bill No. 245 be concurred in.

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 308, respectfully report as follows: That Senate Bill No. 308 be amended on page 1, lines 9 and 10 of the title of the Third reading and the Introduced bills, after the word "Repealing" by deleting "[Sections 3-2488 through 3-24-137]" and inserting in lieu thereof the following "Section 3-24-112"

And further amend on page 1, line 14, after the enacting clause, through page 6, line 12 of the Third reading and Introduced bills, by deleting all the material through and including Sections 1, 2 and 3.

And further amend on page 6, line 13, of the Third reading and Introduced bills, after the word "Section" by deleting the number "4" and inserting in lieu thereof the number "1".

And further amend on page 8, line 6, through page 9, line 2, of the Third reading and Introduced bills, by deleting all the material through and including Sections 5, 6, 7 and 8.

And further amend by adding a new Section 2 to read "Section 2. Section 3-24-112, R.C.M. 1947, is repealed."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation having had under consideration Senate Joint Resolution No. 9, respectfully report as follows: That Senate Joint Resolution No. 9 be amended on page 6, line 21, of the Senate Third reading resolution, following the word "and" by inserting the following new material: "Whereas, North Dakota's conserving base acreage in 1971 was reported at 4,994,478 or eighteen and one half percent (18 ½%) of cropland compared to Montana's forty percent (40%); and

Further amend on page 9, line 25, of the Senate Third reading resolution, by striking the word "[And]" and inserting in lieu thereof a ","

And further amend on page 10, line 1, of the Senate Third reading resolution, after the word "Service" by inserting the following new material: "Secretary Rogers C. B. Morton of the United States department of the



interior, Secretary George P. Schultz of the United States department of the treasury, Administrator William D. Ruckelshaus of the United States Environmental Protection Agency, Director Roy L. Ash of the United States office of management and budget, Honorable Jamie L. Whitten of the United States House of Representatives, the head of each involved department and agency within the state of Montana, and each county agricultural stabilization and conservation committee"

And as amended, be concurred in.

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 187, respectfully report as follows: That Senate Bill No. 187 be concurred in.

FLEMING, Chairman

Report adopted.

February 21, 1973

Mr. Speaker We, your Committee on Taxation, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do not pass.

WATT, Chairman

Marks moved, as a substitute motion, that House Bill No. 354 be printed and placed on Second Reading.

Motion carried.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 414, respectfully report as follows: That Senate Bill No. 414 be not concurred in.

FLEMING, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Schepens, Regan, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 88.

Noes: Rolfe. Total 1.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Bardanouve, Colberg, Driscoll, Ellerd, McKittrick, Roberts, Mr. Speaker. Total 7.

## MESSAGES FROM THE SENATE

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on



motion this day, the Senate has requested the return of House Bill No. 562 for the purpose of reconsideration by the Senate.

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three to meet with a like committee of the House to confer on Senate amendments to House Bill No. 78.

The President appointed the following members:

Senator Keenan, Chairman

Senator Jensen

Senator Breeden

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 142.

The President appointed the following members:

Senator Boylan, Chairman

Senator Vainio

Senator McCallum

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 368.

The President appointed the following members:

Senator McKeon, Chairman

Senator Zody

Senator Turnage

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on Roll Call vote this day, the Senate adopted the Conference Committee report on House amendments to Senate Bill No. 12, and the committee has been dissolved.

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House:

Senate Bill No. 40, introduced by Siderius, Deschamps

Senate Bill No. 457, introduced by Groff, James, Hazelbaker

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur to House amendments to Senate Bill No. 23. On motion and duly carried, Senator Lynch requested the President to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator Turnage, Chairman  
Senator Hall  
Senator Harrison

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 426, introduced by Kendall, Aageson

House Bill No. 455, introduced by Gerke

House Bill No. 540, introduced by Ainsworth

House Bill No. 548, introduced by Bardanouve

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 124. On motion and duly carried, Senator Lynch requested the President to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator McKeon, Chairman  
Senator Goodheart  
Senator Bennett

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate  
March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 135, introduced by Kendall  
House Bill No. 149, introduced by R. Harper, et al  
House Bill No. 197, introduced by Stoltz, Holmes, and Marks  
House Bill No. 301, introduced by Marbut, et al  
House Bill No. 423, introduced by Towe, et al  
House Bill No. 428, introduced by Yardley, et al

Respectfully,  
JOHN N. HANSON  
Acting,  
Secretary of the Senate  
March 3, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day recommended by Committee Reports that the bills be not concurred in, report adopted on roll call, and the bills are herewith returned to the House.

House Bill No. 24, introduced by Ainsworth, Gerke (by request)  
House Bill No. 324, introduced by Zimmer, Asbjornson  
House Bill No. 445, introduced by Kimble, Hodges, Bennetts  
House Bill No. 470, introduced by Marbut, Turman, et al  
House Bill No. 482, introduced by Lee  
House Bill No. 496, introduced by Hall, R. Harper, et al  
House Bill No. 520, introduced by Towe

House Bill No. 555, introduced by Colberg, Regan, et al

House Joint Resolution No. 30, introduced by Johnston, Norman, et al

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

### MOTIONS AND RESOLUTIONS

McKittrick moved that Senate Bill No. 411 be moved from the Committee on State Administration to the Committee on Labor and Employment Relations.

Motion failed.

Tierney withdrew his motion of the 53rd Day that the motion to reconsider Senate Bill No. 179 be laid on the table until the 55th Day.

Fasbender moved that the motion to withdraw the motion be referred to Committee on Rules.

Motion carried.

Hall moved that all favorable committee reports this day be considered read in full.

Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 25, introduced by Murphy, Laas, Kolstad, Aage-son: A resolution of the House of Representatives of the State of Montana beseeching the President of the United States, the Secretary of Health, Education and Welfare, and the Congress of the United States to protect and preserve the effectiveness and integrity of the regional medical programs. Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 26, introduced by Cotton, Bardanouve: A resolution of the House of Representatives of the State of Montana urging the Congress of the United States to amend the federal meat inspection act to allow the sale and processing of United States inspected and passed meat products by custom exempt plants to public institutions. Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 40, introduced by Siderius and Deschamps: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Fish and Game, and providing that this act is effective upon its passage and approval." Referred to Committee on Fish and Game.

Senate Bill No. 457, introduced by Groff, James, Hazelbaker: A bill for an act entitled: "An act to appropriate moneys to the legislative council for its operation, for the statutory retrieval system annual update and for legislative use of the statutory retrieval system for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:



Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Castles, Lockrem, Seifert, Selstad. Total 5.

Excused: Brand Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Edland, Marks. Total 2.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Asbjornson, Barrett, Burnett, Castles, Lockrem, Olson, Seifert, Selstad, Smith, Ulmer. Total 10.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Edland. Total 1.

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Asbjornson, Burnett. Total 2.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Edland, Fasbender, Hall, Mehrens. Total 4.

Senate Bill No. 129 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan,

Murphy, Norman, Quilici, Regan, Roberts, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Turner, Ulmer, Walborn. Total 38.

Excused: Brand, Cox, Kimble, Staigmillner. Total 4.

Absent or not voting: None.

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, East, Ellerd, Haines, Holtz, Hubing, Jones, Kvaalen, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Walborn. Total 21.

Excused: Brand, Cox, Kimble, Staigmillner. Total 4.

Absent or not voting: None.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Aageson, Asbjornson, Bell, Burnett, Clemow, East, Ellerd, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lundgren, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Ulmer, Walborn. Total 29.

Excused: Brand, Cox, Kimble, Staigmillner. Total 4.

Absent or not voting: Zimmer. Total 1.

Senate Bill No. 159 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye,

Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Burnett, East, Forsgren, Hager, Holtz, Hubing, Kessner, Kvaalen, Prevost, Rolfe, Selstad, Smith, Walborn. Total 13.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Baucus, Olson. Total 2.

Baucus moved that Senate Bill No. 233 be taken from Third Reading and be referred to Committee on Fish and Game.

Motion carried.

Senate Bill No. 235 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Ainsworth, Fagg, Kosena, Mehrens, Schye, Selstad, Turner, Zimmer. Total 8.

Senate Bill No. 237 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Harper, H., Harper, R., Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Lynch. Total 1.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: East, Mehrens, Schye, Shelden, Turner. Total 5.

Senate Bill No. 304 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe,



Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Edland, Holtz, Mehrens, Schye. Total 4.

Senate Bill No. 309 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Rolfe, Seifert, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Kolstad, Laas, Lee, Lynch, Prevost, Quilici, Regan, Roberts, Stephens. Total 9.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Burnett, Mehrens, Schepens, Schye. Total 4.

Senate Bill No. 338 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Holtz, Tierney. Total 2.

Senate Bill No. 362 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Hall, Watt. Total 2.



Senate Bill No. 365 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Ainsworth, Flynn. Total 2.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Turner. Total 1.

Senate Bill No. 369 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Bardanouve, Hall, Hodges, Holmes, McKittrick, Regan, Tierney. Total 7.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Lombardi. Total 1.

Senate Bill No. 370 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Jones, Haines, Lundgren. Total 3.

Senate Bill No. 380 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming,

Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Mehrens. Total 1.

Senate Bill No. 383 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosenä, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Ellerd, Kvaalen, Olson, Rolfe, Turner. Total 5.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Greely, Mehrens. Total 2.

Senate Bill No. 435 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Hubing, Kendall. Total 2.

Excused: Brand, Cox, Kimble, Staigmilller. Total 4.

Absent or not voting: Colberg, Zimmer. Total 2.

Senate Bill No. 445 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kosenä, Kvaalen, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 57.

Noes: Aageson, Asbjornson, Barrett, Burnett, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Hageman, Hager, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Laas, Lien, Lockrem, Lucas, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 37.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Ainsworth, Bennetts, Total 2.

Shelden moved to amend Senate Bill No. 94, House amendments dated February 28, 1973, by striking the following words from the title, "[providing for affected acre fees]".

Motion carried (95-0).

(Material in brackets denotes cancelled type.)

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: None.

Senate Joint Resolution No. 18 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Colberg, Cotton, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kimble, Kvaalen, Lien, Lund, Lundgren, Marbut, Marks, Mercer, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stoltz, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 57.

Noes: Aageson, Asbjornson, Barrett, Castles, Clemow, Cox, Driscoll, East, Ellerd, Flynn, Galt, R. Harper, Healy, Hodges, Hubing, Huennekens, Jones, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Olson, Quilici, Schye, Seifert, Smith, Stephens, Swanberg, Tierney, Turner, Walborn, Mr. Speaker. Total 42.

Paired: Kimble, aye; Laas, no; Staigmiller, aye; Murphy, no; Colberg, aye; Cox, no.

Excused: Brand. Total 1.

Absent or not voting: None.

Senate Amendments to House Bill No. 84 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll,



East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Kolstad Total 1.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Bennetts, Bradley, Colberg, Ellerd, Huennekens, Regan, Shelden. Total 7.

Senate Amendments to House Bill No. 126 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Ellerd, Huennekens, Lucas, Nichols, Shelden, Ulmer. Total 6.

Senate Amendments to House Bill No. 296 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Holmes. Total 1.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Ellerd, Marks, Shelden. Total 3.

### THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 578 was passed by the following vote:



Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Burnett, Campbell, Clemow, East, Flynn, Galt, Hager, Haines, Healy, Hubing, Kessner, Kosen, Lee, Lombardi, Lynch, Mehrens, Menahan, Prevost, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Zimmer. Total 27.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting Ellerd. Total 1.

## REPORTS OF STANDING COMMITTEES

March 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 579, respectfully report as follows: That House Bill No. 579 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

McKITTRICK, Chairman

Report adopted.

March 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 447, respectfully report as follows: That Senate Bill No. 447 be amended on page 1, in the title, line 5 of the third reading bill (not being in the original) after the word "within" by striking "[ten (10) thirty (30)]" and insert in lieu thereof "ten (10)", and

Further amend on page 1, in the title, lines 6 through 9 by reinstating the following stricken material in the third reading bill " , payment of weekly compensation until claimant returns to work, termination of compensation only upon notice and division approval; and payment of costs in case of establishment of a denied claim" (being amended in the original bill on page 1, in the title, line 8 after the word "costs" by striking "[and penalty]"), and

Further amend on page 1, in the title, line 9 of the third reading bill (not being in the original) after the word "[claim]" by striking all of the underlined material thereafter and on lines 10 and 11, and

Further amend on pages 1 and 2 by reinstating all of the stricken material contained in Section 1 of the third reading bill (not being necessary in the original) and

Further amend on page 2, section 1, lines 1 through 5 of the third reading bill (not being in the original) by striking all of the underlined material contained therein, and

Further amend on page 2, section 2 of the third reading bill by reinstating the following stricken material " in the event the insurer denies the claim, or terminates a claim that has already been accepted, and the claim is later determined to be compensable either through hearing or appeal to the courts, the insurer shall pay all costs incurred by the claimant, including reasonable attorneys' fees as established by the division." (being amended in the original bill on page 2, section 2, line 5 after the word "division" by striking "[, and, in addition thereto, an additional penalty of

ten percent (10%) of all compensation due or eventually due under the act]”), and

Further amend on page 2, section 2 of the third reading bill (not being in the original) by striking all of the underlined material therein, and

As amended, be concurred in.

(Materials in brackets denotes cancelled type.)

Report adopted. McKITTRICK, Chairman

March 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Resolution No. 24, respectfully report as follows: That House Resolution No 24 do pass.

McKITTRICK, Chairman

Report adopted.

March 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 427, respectfully report as follows: That Senate Bill No. 427 be concurred in.

McKITTRICK, Chairman

Report adopted.

March 5, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Resolution No. 20, respectfully report as follows: That House Resolution No. 20 do pass.

McKITTRICK, Chairman

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Mehrens in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 509 be amended in section 1 (2c), page 4, line 7, before the word “per” by striking the words and numbers “[twenty-seven cents (\$.27)]” and inserting in lieu thereof the words and numbers “thirty-two cents (\$.32)”; and

In section 1 (2d), page 4, line 9, following the word and punctuation “up,” by striking the words and numbers “[thirty-three cents (\$.33)]” and inserting in lieu thereof the words and numbers “thirty-eight cents (\$.38)”, (50-40)

And as amended, do pass (87-5).

(Materials in brackets denotes cancelled type.)

That Senate Bill No. 214 be concurred in (66-1).

That House Bill No. 531 be passed for the day.

That House Bill No. 582 be amended in Section 113, page 127, line 20 of the printed bill by striking the figures “[82A-204.1]” and by reinstating all stricken material in lines 20 through 25;

Further amend Section 113, page 128 of the printed bill by striking all the underlined material in lines 1 through 12 in their entirety;

Further amend Section 113 of the printed bill by reinstating the numbers stricken on lines 13 through 25 on page 128 and lines 2 through 17 on page 129 and by striking the underlined letters on lines 13 through 25 on page 128 and lines 2 through 17 on page 129;

Further amend on page 130, line 11 of the printed bill by striking the underlined words “[exercise the investment functions]”;

Further amend on page 130, line 12 of the printed bill by striking the underlined words “[enumerated in 82A-204.1]” and inserting in lieu thereof the words “invest state funds”;

Further amend on page 130 of the printed bill following line 14 by inserting the new material “The board shall (a) assist agencies with public money to determine if, when and how much surplus cash is available for investment; (b) determine the amount of surplus treasury cash to be invested; (c) determine the type of investment to be made, and (d) prepare the claim to pay for the investment.”; (page 129, line 22, following the words and punctuation “state funds.” of the original bill). (56-0)

And as amended, do pass (66-0).

(Materials in brackets denotes cancelled type.)

That House Resolution No. 17 be adopted (62-0).

That House Resolution No. 21 be adopted (68-4).

That House Resolution No. 22 be adopted (68-2).

That House Resolution No. 23 be adopted (55-11).

That Senate Bill No. 28 be concurred in (76-1).

That all bills be moved below Senate Amendments to House Bill No. 85.

That Senate Amendments to House Bill No. 85 be concurred in (69-0).

That Senate Amendments to House Bill No. 143 be concurred in (70-0).

That Senate Amendments to House Bill No. 304 be concurred in (57-9).

That Senate Amendments to House Bill No. 333 be put below Senate Amendments to House Bill No. 469.

That Senate Amendments to House Bill No. 367 not be concurred in (57-13).

That Senate Amendments to House Bill No. 469 be concurred in (65-0).

That Senate Amendments to House Bill No. 333 be concurred in (72-0).

That Senate Amendments to House Bill No. 502 be passed for the day.

That Senate Bill No. 190 be concurred in (79-2).

That Senate Bill No. 220 be not concurred in (51-44).

That Senate Bill No. 306 be passed to the bottom of the board.

That Senate Bill No. 336 be concurred in (69-11).



That Senate Bill No. 339 be amended on page 1, section 1, line 22, before the word "per" by striking the words "[ten cents (10¢)]" and inserting in lieu thereof the words "twelve cents (12¢)", and (55-27)

And be further amended on page 2, section 2, line 12, before the word "per" by striking the words "[ten cents (10¢)]" and inserting in lieu thereof the words "twelve cents (12¢)", and (56-22).

As amended, be concurred in (73-14).

(Materials in brackets denotes cancelled type.)

That all Senate Bills be moved below House Bill No. 153.

That House Bill No. 153 be amended on page 2, line 4, Section 1 of Third Reading Bill by striking the figures "[1969]" and inserting in lieu thereof the figures "1973" (81-0)

And as amended, do pass (79-1).

That House Bill No. 217 be amended in Section 3, page 16, Second Reading Bill, by showing all of the material in lines 10 through 16 as deleted material (74-0)

And as amended, do pass (72-0).

(Materials in brackets denotes cancelled type.)

That House Resolution No. 19 be adopted (58-13).

That Senate Amendments to House Bill No. 65 be not concurred in (77-0).

That the Committee rise and report.

MEHRENS, Chairman

Report adopted.

House Resolution No. 17, introduced by Marks, Castles, Campbell, Menahan, Lee, Lombardi, Bennetts, Bell, H. Harper, Healy, Quilici, Flynn, Lynch, Schepens, Baeth, Mehrens, Olson, Kvaalen, Prevost: A resolution of the House of Representatives of the State of Montana to endorse and respectfully honor the work of the foster grandparent program in the State of Montana.

House Resolution No. 19, introduced by McKittrick, Lockrem, R. Harper, Cox, Lynch, Mehrens, Johnston, Galt, Nichols, Menahan, Kolstad, Quilici, Lee, Fleming, Edland, Healy, Lombardi, Fagg, Murphy, Hageman, Baeth, Stoltz, Lucas, Kosen, Glennen, Walborn, Smith, Olson, Barrett, Asbjornson, Jones, Norman, Gerke, Staigmler, Regan, Haines, Seifert, Kvaalen, Fsbender, Hall, Ulmer, Bell, Campbell, Clemow, Holtz, Aageson, Selstad, Burnett, Kessner, Forsgren, Jacobsen, Driscoll: A resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to adopt an amendment to the United States Constitution which will reinstate the right of the states to protect the right of an unborn human being to life and offer the constitutional amendment to the states for ratification.

House Resolution No. 21, introduced by Asbjornson, Barrett, Kolstad, Aageson, Schye, Murphy, Laas: A resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to provide funds for a study of Judith River.

House Resolution No. 22, introduced by Zimmer, Lundgren, Selstad, Halvorson, Brown, Jones: A resolution of the House of Representatives of the State of Montana supporting Senator Mike Mansfield's Senate Joint Resolution 25 authorizing and requesting the President to establish a "National Next Door Neighbor Day."



House Resolution No. 23, introduced by Tierney, Turman, Murphy, Bennetts: A resolution of the House of Representatives of the State of Montana to urge the President of the United States to reinstate funding for economic opportunity act programs.

### REPORTS OF SELECT COMMITTEES

March 3, 1973

House Bill No. 5

### JOINT FREE CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Free Conference Committee on House Bill No. 5, beg leave to report as follows:

That we met this day and considered Senate Committee on Constitution, Elections and Federal Relations Amendments dated February 24, 1973, to House Bill No. 5 and recommend as follows:

That the Senate recede from the Senate amendments,

And further that section 1 of House Bill No. 5 be amended to read as follows: On page 1, line 11, House Third Reading Bill, by adding the material "lieutenant governor,"

And further amend by deleting all of the material in the House Third Reading Bill beginning on page 1, line 16 through the end of the bill and inserting in lieu thereof the following new material: "(2) when a written declaration, made as hereinafter provided, is transmitted to the legislature, that any such officer is unable to discharge the powers and duties of this office, the legislature may convene in the manner provided for the convening of special sessions to determine whether such disability exists, or it may defer such determination to the next regular session of the legislature.

(3) If the legislature, within twenty one (21) days after convening, whether in regular or special session, determines by two-thirds (2/3) vote of its members that such officer is unable to discharge the powers and duties of his office, this office shall be declared to be vacant and shall be filled as provided by the Constitution of the State of Montana or laws enacted pursuant thereto.

(4) The written declaration required hereunder shall be made and transmitted by the lieutenant governor and attorney general unless one of them is the officer whose disability is in question. If the lieutenant governor is the subject of the declaration, the declaration shall be made by the governor and attorney general; if the attorney general is the subject of the declaration, the declaration shall be made by the governor and secretary of state.

And that as so amended, House Bill No. 5 be adopted.

For the Senate: BERTSCHE  
JAMES  
ROSELL

For the House: HALL  
ROBERTS  
AINSWORTH

Hall moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huenne-

kens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer. Total 71.

Noes: None.

Excused: Brand, Cox, Kimble, Staigmiller. Total 4.

Absent or not voting: Ainsworth, Asbjornson, Bennetts, Brown, Burnett, Cotton, Ellerd, Fagg, Haines, Halvorson, H. Harper, Laas, Lockrem, Lombardi, Menahan, Nichols, Norman, Olson, Rolfe, Selstad, Smith, Swanberg, Towe, Walborn, Mr. Speaker. Total 25.

March 5, 1973

House Bill No. 23

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 23, beg leave to report as follows:

That we met and considered Senate Committee on Judiciary Amendments dated February 24, 1973, and Senate Committee of the Whole Amendments dated February 26, 1973, to House Bill 23, and recommend as follows:

That the House accede to the Senate Committee of the Whole Amendments dated February 26, 1973;

And further, that the House accede to the following Senate Judiciary Committee Amendments dated February 24, 1973;

In section 4, page 6, lines 16, 17 and 18, following the word "[Montana]" by striking the punctuation and words "[, and also takes and subscribes to the oath provided in section 479, R.C.M. 1947]";

And further amend section 9, page 25, line 24, by deleting the words "[at least]" and inserting in lieu thereof the words "more than";

And further, that the Senate recede from the following Senate Judiciary Committee Amendments dated February 24, 1973;

In section 1, page 1, line 18, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 1, page 2, line 6, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 1, page 2, line 13, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 6, page 9, line 20, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 7, page 11, line 16, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 7, page 12, line 1, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%)";

And further amend section 7, page 13, line 6, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%);

And further amend section 7, page 16, line 20, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%);

And further amend section 7, page 16, line 25, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%);

And further amend section 8, page 20, line 8, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%);

And further amend section 8, page 20, line 13, by deleting the words "[fifty percent (50%)]" and inserting in lieu thereof the words "sixty percent (60%);

And that House Bill No. 23 be concurred in, as so amended.

For the Senate: HALL

McNAMER

McOMBER

For the House: GREELY

TOWE

AINSWORTH

Greely moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kolstad, Kosenka, Kvaalen, Lien, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 67.

Noes: Lynch, Tierney. Total 2.

Excused: Brand, Cox, Kimble, Staigmillier. Total 4.

Absent or not voting: Ainsworth, Asbjornson, Bennetts, Brown, Burnett, Cotton, Fagg, Galt, Haines, Halvorson, H. Harper, Jacobsen, Johnston, Laas, Lee, Lockrem, Lombardi, Lundgren, Menahan, Nichols, Norman, Olson, Rolfe, Selstad, Smith, Swanberg, Walborn. Total 27.

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint Conference Committees to meet with like committees from the Senate on House Bill No. 367 and Senate Bills Nos. 23 and 124.

Motion carried.

Fasbender moved that the Speaker appoint Conference Committees to meet with like committees from the Senate on Senate Amendments to House Bill No. 367 and House Amendments to Senate Bills Nos. 23 and 124.

Motion carried.

Fasbender moved that the Speaker appoint a Free Conference Committee on House Bill No. 65.

Motion carried.

Fasbender moved that the House accede to the request of the Senate for the return of House Bill No. 562.

Motion carried.

The Speaker appointed the following Conference Committees:

House Amendments to Senate Bill No. 23: Roberts, Chairman; Greely, Lucas.

House Amendments to Senate Bill No. 124: McKittrick, Chairman; Bennetts, Marbut.

#### UNFINISHED BUSINESS

March 5, 1973

Mr. Harold E. Gerke, Speaker  
House of Representatives  
Capitol Building

Dear Mr. Speaker:

I am pleased to inform you that in accordance with Article 5, Section 14 of Montana's New Constitution and within the guidelines of Senate Bill 21, I am this day appointing Mrs. Elsie McGarvey to serve on Montana's Districting and Apportionment Commission.

Sincerely,

Larry Fasbender  
House Majority Leader

LF/bm

cc: Governor Thomas Judge  
Evan Barrett

Fasbender moved that the House adjourn until 1:30 p.m., March 6, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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#### FIFTY-SIXTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 6, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Reverend Aubrey Edmonds and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present.

Quorum present.

Mr. Speaker: We, your Committee on bills and Journal, having examined the daily journal for the Fifty-Fifth Legislative Day, find the same to be correct.

QUILICI, Chairman



## COMMUNICATIONS AND PETITIONS

Mr. Speaker and Members of the Assembly:

We would like to take this opportunity to thank the members of this Assembly, and especially our sponsors, Representatives Gerke, Kvaalen, Bardanoue, Fagg, Gunderson, Kosena, Marbut, and Watt, for the opportunity and the experience of having been Legislative Interns. It has been most worthwhile for us and we are deeply grateful.

Thank you.

## THE INTERNS

Greg Jergeson  
Alan Robertson  
Chuck Humphrey  
Torian Donohoe  
Ed Sheehy  
Randy Ogle  
Tom Fitzpatrick

## REPORTS OF STANDING COMMITTEES

March 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 97.

FLEMING, Vice-Chairman

March 5, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 244 and 393.

FLEMING, Vice-Chairman

March 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 327, 354 and 590, and House Resolutions Nos. 20 and 24.

FLEMING, Vice-Chairman

March 5, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 100, 103, 113, 116, 130, 134, 180, 218, 229, 235, 245, 362, 374, 484, 459 and House Joint Resolution No. 9, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 5, 1973

I have examined House Bill No. 183 introduced by me and find the same to be correct.

MARBUT

March 5, 1973

I have examined House Bill No. 261 introduced by me and find the same to be correct.

MARBUT

March 3, 1973

I have examined House Bill No. 174 introduced by me and find the same to be correct.

SMITH

March 5, 1973

I have examined House Bill No. 263 introduced by me and find the same to be correct.

MARBUT

March 3, 1973

I have examined House Bill No. 271 introduced by me and find the same to be correct.

HEALY

March 3, 1973

I have examined House Bill No. 312 introduced by me and find the same to be correct.

BARDANOUE

March 3, 1973

I have examined House Bill No. 400 introduced by me and find the same to be correct.

MERCER

March 3, 1973

I have examined House Bill No. 431 introduced by me and find the same to be correct.

GREELY

March 5, 1973

I have examined House Bill No. 491 introduced by me and find the same to be correct.

ROBERTS

March 5, 1973

I have examined House Joint Resolution No. 10 introduced by me and find the same to be correct.

HOLMES

The Speaker signed in open session House Bills Nos. 183, 261, 174, 263, 271, 312, 400, 431, and 491, House Joint Resolution No. 10, Senate Bills Nos. 123, 130, 135, 137, 174, 211, 230, 260, 274, 275, 322, 325, 337, 368, 426, 441, 456 and Senate Joint Resolutions Nos. 16, 33 and 34.

March 6, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the question as to whether Representative Tierney can withdraw his motion to lay on the table, respectfully report as follows: That the motion made by Representative Hall on the 53rd Legislative Day to amend the motion to take from the table is improper under Section 492, subsection D-6 of Mason's Rules and further that the motion to lay on the table can be withdrawn at any time under Rule 5-1 and therefore, Representative Tierney's withdrawal of his motion to take from the table is proper.

FASBENDER, Chairman

Report adopted.

Fasbender moved that all favorable committee reports be deemed read.

Motion carried.

March 6, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of insuring accurate press coverage, recommend the following:

WHEREAS, the news-reporting profession has a continuing ethical obligation to the public as purveyors of information relative to the total social environment to maintain the highest devotion to the truth so that individual citizens do not receive faulty information and make future decisions on the basis of such misinformation, and

WHEREAS, the legislature reaffirms its dedication to permit uncensored news reporting relative to state government, yet desires accurate informational reporting through the media to the people of Montana, and

WHEREAS, the existing capital press corps is the most appropriate structure capable of maintaining such accuracy without governmental infringement of free press.

Now, therefore, be it resolved by the House of Representatives of the State of Montana:

That the capital press corps as a group be requested to investigate inaccuracies in news articles reported to them by aggrieved legislators and take action relative to the quality of future news stories to assure continued accuracy in information transmitted to the public relative to the proceedings of state government and,

BE IT FURTHER RESOLVED, that the capital press corps act as a receiver and arbiter of complaints from all sectors of the public relative to the quality of media reporting conducted by reporters attached to the various state bureaus.

FASBENDER, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 be concurred in.

FASBENDER, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 6, respectfully report as follows: That Senate Joint Resolution No. 6 be not concurred in.

GUNDERSON, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks,

Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Cox. Total 1.

Excused: None.

Absent or not voting: Brand, Campbell, Galt, Hageman, Hall, Halvorson, Holmes, Lockrem, Lundgren, Roberts, Schye, Seifert, Swanberg, Towe, Ulmer. Total 15.

March 6, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 261, respectfully report as follows: That Senate Bill No. 261 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 363, respectfully report as follows: That Senate Bill No. 363 be amended on page 2, section 1, line 3, of the Senate Third Reading Bill, by striking subsection 2 in its entirety and inserting a new subsection 2 to read as follows: (2) "Within incorporated cities and towns, and upon county roads or secondary highways, the department of highways shall not control access without the consent of the appropriate governing body.", and

And as amended, be concurred in.

LAAS, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 385, respectfully report as follows: That Senate Bill No. 385 be amended in the title, in line 10, of the Senate Third Reading Bill, by inserting after the word "Railroad" the following material: "Upon suspension by the commission of the tariff sheet or sheets", and

Be further amended in the title, on line 13, of the Senate Third Reading Bill, by deleting the word and figures "[Thirty (30)]" and inserting in lieu thereof the word and figures "Twenty (20)", and

Be further amended on page 3, section 1, line 14, of the Senate Third Reading Bill, by deleting the following material: "[Upon filing such changes or revisions, such tariff sheet or sheets must be accompanied by such prepared testimony and exhibits from the rail carrier as will support such changes or revisions.]" and inserting in lieu thereof the following material: "Upon filing such changes or revisions, all tariff sheet or sheets, when suspended by the Board, must be supported by such prepared testimony and exhibits from the railroad as will support such changes or revisions. The prepared testimony and exhibits must be filed with the Commission thirty (30) days after the effective date of such suspension. Such testimony and exhibits may be supplemented prior to, or at the time of hearing, and supplemental exhibits may be filed after the close of the hearing at the direction or with permission of the Commission.", and

Be further amended on page 3, section 1, line 20, of the Senate Third Reading Bill by striking the word and figures "[thirty (30)]" and inserting in lieu thereof the words and figures "twenty (20)", and



Be further amended on page 4, section 1, lines 5 and 6, of the Senate Third Reading Bill, by striking after the word "notice" the following material: "[by the board of any complaint filed by any interested party to any proposed tariff change or revision]", and insert in lieu thereof the following material: "by the complaining party mailing a copy of the complaint concerning such proposed change or revision to the carrier or publishing agent" and

As amended, be concurred in.

LAAS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### MESSAGES FROM THE GOVERNOR

March 5, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 6, 19, 148, 150, 175, 210, 269, 318, 325, 377, 378, 379 and 381.

House Joint Resolution No.: 27

Sincerely,

THOMAS L. JUDGE  
Governor

cc. Honorable Bill Christiansen

#### MESSAGES FROM THE SENATE

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 207, introduced by R. Harper, et al, was this day recommended by Committee report that the bill be not concurred in, report adopted on roll call, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 21, introduced by Ainsworth, Gerke, et al

House Bill No. 68, introduced by Bradley, Turman, et al

House Bill No. 108, introduced by Fasbender, Lucas, et al

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 99, introduced by Ulmer

House Bill No. 167, introduced by Regan (by request)

House Bill No. 168, introduced by Edland and Greely

House Bill No. 329, introduced by Laas, Murphy and Johnston

House Bill No. 346, introduced by Hall

House Bill No. 352, introduced by Hall

House Bill No. 427, introduced by Zimmer, Castles, et al

House Joint Resolution No. 14, introduced by Turman, Ainsworth, et al

House Bill No. 543, introduced by Ulmer, Marbut, et al

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 452, introduced by Bertsche, Groff, et al, was this day read three several times at length, and passed, title and history agreed to, and the bill is herewith transmitted to the House.

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 5.

The President appointed the following members:

Senator James, Chairman  
Senator Bertsche  
Senator Rosell

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, failed to accede to the request of the House to return House Bill No. 94.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 182, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator James, Chairman  
Senator Thiessen  
Senator Aber

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Conference Committee Report on House Bill No. 144 was this day adopted on Roll Call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 257 on Committee of the Whole was this day recommended that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Acting,  
Secretary of the Senate

March 5, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 94 was this day recommended by Committee Report that the bill be not concurred in, report adopted on roll call, the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON

Acting,

Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 27, introduced by Cotton, Bardanouve, Schepens, Jacobsen, Prevost, Edland: A resolution of the House of Representatives of the State of Montana urging the Montana congressional delegation to propose legislation that would authorize the construction of an additional power generating plant at the Fort Peck Dam. Referred to Committee on Business and Industry.

House Bill No. 599, introduced by Ulmer, Lucas: A bill for an act entitled: "An act permitting state agencies to contract with rehabilitation oriented agencies without competitive bidding." Referred to Committee on State Administration.

Senate Bill No. 452, introduced by Bertsche, Groff, Moritz, McKeon, Moore: A bill for an act entitled: "An act to appropriate six hundred forty-three thousand dollars (\$643,000) from the long-range building program account in the bond proceeds and insurance clearance fund and one hundred thousand dollars (\$100,000) from the Warm Springs Hospital account in the bond proceeds and insurance clearance fund to the Department of Administration for the construction of a new patient dormitory building at the Warm Springs State Hospital; and providing an effective date." Referred to Committee on Finance and Claims.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Walborn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That Senate Amendments to House Joint Resolution No. 16 be concurred in (84-0).

That Senate Amendments to House Bill No. 96 be concurred in (81-3).

That Senate Amendments to House Bill No. 49 be concurred in (60-24).

That Senate Amendments to House Bill No. 54 be not concurred in (49-45).

That Senate Amendments to House Bill No. 127 be concurred in (87-0).

That Senate Amendments to House Bill No. 131 be not concurred in (66-14).



That Senate Amendments to House Bill No. 135 be not concurred in (70-14).

That Senate Amendments to House Bill No. 149 be not concurred in (80-0).

That Senate Amendments to House Bill No. 197 be concurred in (79-0).

That Senate Amendments to House Bill No. 211 be not concurred in (59-25).

That Senate Amendments to House Bill No. 270 be concurred in (86-3).

That Senate Amendments to House Bill No. 275 be concurred in (83-0).

That Senate Amendments to House Bill No. 301 be concurred in (83-0).

That Senate Amendments to House Bill No. 423 be concurred in (84-0).

That Senate Amendments to House Bill No. 403 be concurred in (85-1).

That Senate Amendments to House Bill No. 428 be concurred in (64-30).

That Senate Amendments to House Bill No. 468 be concurred in (79-0).

That Senate Amendments to House Bill No. 502 be concurred in (70-10).

That Senate Amendments to House Bill No. 571 be concurred in (76-1).

That House Bill No. 531 be amended in section 3, page 5, line 15 of the Second Reading and Introduced bill, by deleting the words and figures "[Two Dollars (\$2) for each vending machine]" and inserting in lieu thereof the words and figures "Ten Dollars (\$10) for the first five (5) vending machines and two dollars (\$2) for each additional machine" and

Further amend on page 6, section 3, line 1, of the Second Reading and Introduced bill, after the word "position" by deleting the words "[to the front side]" and inserting in lieu thereof the words "near the serial number", (68-2)

And as amended, do pass (73-4).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 86 be passed for the day.

That Senate Bill No. 175 be passed for the day.

That Senate Bill No. 180 be concurred in (67-4).

That Senate Bill No. 187 be passed for the day.

That Senate Bill No. 196 be amended in section 1, page 5, line 20, after the word "infirmaries" of the Senate Third Reading bill by amending the House Committee on Public Health, Welfare and Safety amendments on the green sheet, in the third amendment - where reference is made to inserting: ", state mental health and mental retardation institutions", by deleting the first word of the new material which is the word "state", and

Further amend on page 4, section 1, line 21 of the Senate Third Reading bill, after the word "Physicians," by deleting the words "[In patient diagnostic services and]"

Further amend page 7, section 1 (d), line 6 of the Senate Third Reading bill, after the word "provides" by inserting the word "skilled", and

Further amend on page 7, section 1 (d), line 6 of the Senate Third Reading bill, after the word "nursing" by deleting the words "[and/or personal]" and

Further amend on page 7, section 1 (d), line 7 of the Senate Third Reading bill, after the word "persons", by deleting the word "[who]" and inserting in lieu thereof the following new material: "or personal care to more than two (2) persons, who by reason of illness or disability", (68-0)

And as amended, be concurred in (71-1).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 201 be amended in section 8, subsection 3, page 4, by adding the following words and punctuation following the word "violation" in line 13:

"The attorney general shall take such action as in his judgment is deemed necessary, including investigation and prosecution. In carrying out his duties as prescribed in this section, the attorney general shall have the same rights, powers, and duties as the county attorney as specified in Title 95." (51-46)

And as amended, be passed for the day.

That Senate Bill No. 208 be concurred in (68-21).

That Senate Bill No. 245 be concurred in (77-1).

That Senate Bill No. 292 be concurred in (78-0).

That Senate Bill No. 306 be concurred in (57-18).

That Senate Bill No. 308 be corrected by striking the green amendment dated March 3, 1973 by the Agriculture Committee which refers to "seeds" (76-2).

And that Senate Bill No. 308 be concurred in (76-2).

That Senate Bill No. 343 be amended in section 1, Senate Third Reading bill, by striking all material on page 2, lines 7, 8, 9 and 10 and the underlined material on page 11 and inserting in lieu thereof the following material:

"Appointments shall be made in the first regular session of the biennium. Membership on the council begins on the sixtieth legislative day of the session in which the appointment was made and terminates on the sixtieth legislative day of the first regular session of the succeeding biennium." (75-0)

And, as amended, be concurred in (80-0).

That Senate Bill No. 345 be passed for the day.

That Senate Bill No. 360 be concurred in (80-0).

That Senate Bill No. 366 be concurred in (69-8).

That Senate Bill No. 371 be concurred in (74-0).

That Senate Bill No. 376 be amended in section 1, subsection (1) (b), page 1, line 24, after the word "students" by inserting the following words, "other than non-resident athlete waivers permitted under sub-section (1) (c)", (83-1)

Further amend section 1, subsection (1) (c), page 2, line 19, after the word "regulations.", by inserting a new sentence which reads as follows: "The fee waiver provided in this subsection shall be assessed against the athletic budget of the institution making such a waiver." (55-41)

And further amend by stripping all amendments therefrom and returning the bill to its introduced form. (55-42)

And as amended, be passed for the day.

That the Committee rise and report.

WALBORN, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Lucas moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 54.

Motion carried.

Lucas, having voted on the prevailing side in adopting an adverse Committee of the Whole report on Senate Bill No. 220, moved that the House reconsider its action.

Kvaalen moved the previous question.

Motion carried.

Thereupon, the motion to reconsider Senate Bill No. 220 carried.

Hall moved that Senate Bill No. 376 be taken from Second Reading and be rereferred to Committee on Education.

As a substitute motion, Marks moved that Senate Bill No. 376 be rereferred to Committee on Judiciary.

Motion carried.

Fasbender moved that the Speaker appoint Conference Committees to meet with like Committees from the Senate on Senate Amendments to House Bills Nos. 131, 135, 149 and 211.

Motion carried.

### REPORTS OF STANDING COMMITTEES

March 6, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 443, respectfully report as follows: That Senate Bill No. 443 be amended on page 1, line 8, title, before the word "Sand" by adding the following word and punctuation "Bentonite," and

Further amend page 1, section 1, line 18, following the word "Cut" and before the word "Mining" by striking the words "[Sand and Gravel]", and

Further amend page 1, section 2, line 21, following the word "cut" and before the word "sand" by adding the following word and punctuation "bentonite," and

Further amend page 2, section 2, line 1, following the word "cut" and before the word "sand" by adding the following word and punctuation "bentonite," and

Further amend page 2, section 3, line 8, following the word "with" and before the word "operators" by striking the words "[sand and gravel]", and

Further amend page 2, section 3, line 10, following the word "of" and before the word "sand" by adding the word and punctuation "bentonite," and

Further amend page 2, section 4, subsection (2), line 22, following the word "of" and before the word "sand" by adding the word and punctuation "bentonite," and

Further amend page 3, section 4, subsection (2), line 2, following the words "deposit of " by striking the word "[minerals]" and inserting in lieu thereof the words "bentonite, sand or gravel", and

Further amend page 3, section 4, subsection (4), line 9, following the word "of" and before the word "sand" by adding the word and punctuation "bentonite," and

Further amend page 3, section 4, subsection (5), following the word "cut" and before the word "mining" by striking the words "[sand or gravel]".

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on bills, to whom was referred House Bills Nos. 174, 183, 261, 263, 271, 312, 400, 431, 491 and House Joint Resolution No. 10, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 6, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 262, 397, 145, 82, 60, 417, 236, 288, 18, 344, 332, 540, 253, 321, 426, 393 and 37 and House Joint Resolution No. 11.

QUILICI, Chairman

#### UNFINISHED BUSINESS

March 6, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Gerke:

I am pleased to inform you that in accordance with Article 5, Section 14 of Montana's New Constitution and within the guidelines of Senate Bill No. 21, I am this day appointing Mr. Glen T. Rugg of Plevna to serve on Montana's Districting and Apportionment Commission.

Sincerely,

OSCAR S. KVAALEN  
House Minority Leader  
OSK:mh

The Speaker appointed the following Conference Committees to meet with like Committees from the Senate:

Senate Amendments to House Bill No. 367: Regan, Chairman; Schepens, Brown.

Free Conference Committee on House Bill No. 65: Kosena, Chairman; McKittrick, Asbjornson.



Senate Amendments to House Bill No. 54: Hall, Chairman; R. Harper, H. Harper.

Senate Amendments to House Bill No. 131: Lynch, Chairman; Driscoll, Bell.

Senate Amendments to House Bill No. 135: Kendall, Chairman; Sheldon, Turman.

Senate Amendments to House Bill No. 149: Kendall, Chairman; Lee, Jones.

Senate Amendments to House Bill No. 211: Towe, Chairman; Greely, Lucas.

Fasbender moved that the House adjourn until 1:30 p.m., March 7, 1973.

Motion carried.

House adjourned.

ED SMITH, Chief Clerk

HAROLD E. GERKE, Speaker

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### FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 7, 1973

House convened, pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Colberg, Hubing and Lockrem, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF SELECT COMMITTEES

March 5, 1973

House Bill No. 107

### JOINT CONFERENCE COMMITTEE REPORT

#### MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on House Bill No. 107, beg leave to report as follows:

That we met this day and considered Senate Committee on Local Government amendments to House Bill No. 107 and recommend as follows:

That the House accede to paragraph 1 of the Senate amendments.

That the House accede to paragraph 2 of the Senate amendments.

That the Senate recede from paragraph 3 of the Senate amendments.

That the Senate recede from paragraph 4 of the Senate amendments.

That the House accede to paragraph 5 of the Senate amendments.

That the House accede to paragraph 6 of the Senate amendments.

That the House accede to paragraph 7 of the Senate amendments.

That the Senate recede from paragraph 8 of the Senate amendments.

That the Senate recede from paragraph 9 of the Senate amendments.

That the House accede to paragraph 10 of the Senate amendments.

That the House accede to paragraph 11 of the Senate amendments.

That the Senate recede from paragraph 12 of the Senate amendments.

That the Senate recede from paragraph 13 of the Senate amendments.

That the House accede to paragraph 14 of the Senate amendments.

And that House Bill No. 107, as so amended, be concurred in.

FOR THE HOUSE:

LYNCH

LUCAS

McKITTRICK

FOR THE SENATE:

GOODHEART

FLYNN

McCALLUM

McKittrick moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 83.

Noes: Swanberg. Total 1.

Absent or not voting: Baucus, Brand, Brown, Fasbender, Hall, Halvorson, Kimble, Lundgren, Lynch, Manuel, Schye, Stoltz, Yardley. Total 13.

Excused: Colberg, Hubing, Lockrem. Total 3.

March 6, 1973

House Bill No. 142

#### JOINT CONFERENCE COMMITTEE

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, your Joint Conference Committee, having had under consideration Senate Committee on Education Amendments to House Bill No. 142, dated February 22, 1973, respectfully report and recommend as follows:

That the Senate recede from the Senate Committee on Education Amendments to House Bill No. 142 adopted on February 22, 1973.

FOR THE HOUSE:

MEHRENS

GLENNEN

GUNDERSON

FOR THE SENATE:

BOYLAN

VAINIO

McCALLUM

Mehrens moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Colberg, Hubing, Lockrem. Total 3.

Absent or not voting: Baucus, Edland, Ellerd, Gunderson, Hall, Huenekens, Kimble, Kvaalen, Lien, Lundgren, Lynch, McKittrick, Roberts, Schye. Total 14.

March 6, 1973

Senate Bill No. 121

### JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 121, beg leave to report as follows:

That we met this day and considered House Committee on Labor and Employment Relations amendments to Senate Bill No. 121 and recommend as follows:

That the Senate accede to the House amendment.

And recommend that the same be adopted.

FOR THE HOUSE:

FLYNN

EAST

BAETH

FOR THE SENATE:

VAINIO

KEENAN

MATHERS

Baeth moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Fagg, Fleming, Flynn, Forsgren, Galt,

Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Bell, East, Mercer. Total 3.

Excused: Colberg, Hubing, Lockrem. Total 3.

Absent or not voting: Edland, Ellerd, Fasbender, Hageman, Haines, Huennekens, Kvaalen, Lundgren, Prevost, Schye, Selstad, Towe. Total 12.

March 6, 1973

House Bill No. 246

### JOINT CONFERENCE COMMITTEE REPORT

#### MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on House Bill 246, beg leave to report as follows:

That we met this day and considered the Senate Committee of the Whole amendments, of February 26, 1973, to House Bill 246 and recommend as follows:

That the Senate recede from paragraph 1 of the Senate Committee of the Whole amendments.

That the Senate recede from paragraph 2 of the Senate Committee of the Whole amendments.

That the House accede to paragraph 3 of the Senate Committee of the Whole amendments.

And that House Bill No. 246, as so amended, be concurred in.

FOR THE HOUSE:

BRAND

QUILICI

TURMAN

FOR THE SENATE:

SHEA

GRAHAM

BENNETT

Brand moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Colberg, Hubing, Lockrem. Total 3.



Absent or not voting: Edland, Ellerd, Fasbender, Hageman, Kimble, Laas, Lundgren, McKittrick, Seifert, Selstad, Watt. Total 11.

March 6, 1973

Senate Bill No. 115

### JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 115, beg leave to report as follows:

That we met this day and considered House Committee on Labor and Employment Relations amendments to Senate Bill No. 115 and recommend as follows:

That the Senate accede to the House amendment.

And recommend that the same be adopted.

FOR THE HOUSE:  
FLYNN  
EAST  
BAETH

FOR THE SENATE:  
VAINIO  
KEENAN  
MATHERS

Baeth moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Committee report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cox, Driscoll, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Huennekens, Johnston, Jones, Kessner, Kimble, Kosena, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley. Total 65.

Noes: Clemow, East, Hager, Holtz, Mercer, Rolfe, Selstad, Ulmer, Walborn. Total 9.

Excused: Colberg, Hubing, Lockrem. Total 3.

Absent or not voting: Aageson, Burnett, Cotton, Edland, Ellerd, Fasbender, Flynn, Galt, Hall, H. Harper, Holmes, Jacobsen, Kendall, Kolstad, Kvaalen, Laas, Lundgren, Prevost, Roberts, Smith, Watt, Zimmer, Mr. Speaker. Total 23.

### REPORTS OF STANDING COMMITTEES

March 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 144, 204, 238, 277, 404 and 420.

FLEMING, Vice-Chairman

March 7, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 174, 183, 261, 263, 271, 312, 400, 431 and 491, and House

Joint Resolution No. 10, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 153, 217 and 509.

FLEMING, Vice-Chairman

March 6, 1973

I have examined House Joint Resolution No. 11 introduced by me and find the same to be correct.

MARBUT

March 6, 1973

I have examined House Bill No. 540 introduced by me and find the same to be correct.

AINSWORTH

March 6, 1973

I have examined House Bill No. 507 introduced by me and find the same to be correct.

LEE

March 6, 1973

I have examined House Bill No. 426 introduced by me and find the same to be correct.

KENDALL

March 6, 1973

I have examined House Bill No. 417 introduced by me and find the same to be correct.

LUCAS

March 6, 1973

I have examined House Bill No. 397 introduced by me and find the same to be correct.

TOWE

March 6, 1973

I have examined House Bill No. 393 introduced by me and find the same to be correct.

BRAND

March 6, 1973

I have examined House Bill No. 344 introduced by me and find the same to be correct.

TOWE

March 6, 1973

I have examined House Bill No. 332 introduced by me and find the same to be correct.

ULMER

March 6, 1973

I have examined House Bill No. 321 introduced by me and find the same to be correct.

LEE

March 6, 1973

I have examined House Bill No. 288 introduced by me and find the same to be correct.

LAAS

March 6, 1973

I have examined House Bill No. 262 introduced by me and find the same to be correct.

MARBUT

March 6, 1973

I have examined House Bill No. 253 introduced by me and find the same to be correct.

QUILICI

March 6, 1973

I have examined House Bill No. 244 introduced by me and find the same to be correct.

LYNCH

March 6, 1973

I have examined House Bill No. 236 introduced by me and find the same to be correct.

LUCAS

March 6, 1973

I have examined House Bill No. 145 introduced by me and find the same to be correct.

BAUCUS

March 6, 1973

I have examined House Bill No. 82 introduced by me and find the same to be correct.

HAGER

March 6, 1973

I have examined House Bill No. 37 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed in open session House Joint Resolution No. 11 and House Bills Nos. 540, 507, 426, 417, 397, 393, 344, 332, 321, 288, 262, 253, 244, 236, 145, 82, and 37.

March 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 411, respectfully report as follows: That Senate Bill No. 411 be amended on page 2 of the third reading bill, section 2, subsection (2), line 6, after the word "officers" by striking the words "[and employees]", and

Be further amended on page 3 of the third reading bill, section 7, line 22 after the word "department" by striking the word "[may]" and inserting in lieu thereof the word "shall", and

Be further amended on page 7 of the third reading bill, section 15, subsection (4), line 2, after the word "employee" by inserting the following: "or his representative",

And as so amended, be concurred in.

(Material brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 373, respectfully report as follows: That Senate Bill No. 373 be amended on page 2 of the third reading bill, section 3, line 6, after the word "with" by deleting the word "[the]", and

Further amend on page 2 of the third reading bill, section 3, line 6, after the word "section" by deleting the following: "[and the existence of the council shall be limited by subsection (3) of this section]", and

Further amend on page 2 of the third reading bill, section 3, subsection (3), line 15, after the word "shall" by deleting the following: "[cease to exist when the department and an insurer agree upon a group insurance policy]" and inserting in lieu thereof the words "meet quarterly to review the existing policy, to report and review claim problems and provide advice to the department for future negotiations", and

Further amend on page 3 of the third reading bill, section 5, line 4, after the word "any" by inserting the word "existing", and

Further amend on page 3 of the third reading bill, section 5, line 11, after the word "policy." by inserting the following: "The component employee group shall retain the power to negotiate and contract for group insurance and health service corporation plans if such component group does not approve the policy negotiated by the department.", and

Further amend on page 3 of the third reading bill, section 7, line 19, after the word "receives." by inserting the following: "All department costs of negotiating and administering group insurance policies are subject to the approval of the advisory council.", and

And as amended, be concurred in.

(Material brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 381, respectfully report as follows: That Senate Bill No. 381 be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 300, respectfully report as follows: That Senate Bill No. 300 be amended on page 2 of the third reading bill, section 3, subsection (1), line 8, after the word "the" by striking the words "[state fish and game]", and

Further amend on page 2 of the third reading bill, section 3, subsection (1), line 9, after the word "department" by inserting the words "of state lands", and



Further amend on page 2 of the third reading bill, section 3, subsection (7), line 21, after the word "historic," by inserting the word "prehistoric," and

Further amend on page 2 of the third reading bill, section 3, subsection (7), line 22, after the word "lands" by inserting "subject to this act", and

Further amend on page 2 of the third reading bill, section 3, subsection (8), line 23, after the word "historic," by inserting the word "prehistoric," and

Further amend on page 3 of the third reading bill, section 3, after line 4, by inserting a new subsection (10) to read: "(10) 'Registered objects' means any object registered by the department as provided in this act or covered by cooperative agreement under section 8 of this act.", and

Further amend on page 3 of the third reading bill by renumbering subsequent subsections to conform numerically, and

Further amend on page 3 of the third reading bill, section 4, line 19, after the word "the" by inserting the word "registered", and

Further amend on page 3 of the third reading bill, section 4, line 19, after the word "or" by inserting the word "registered", and

Further amend on page 4 of the third reading bill, section 5, line 4, before the word "site" by inserting the word "registered", and

Further amend on page 4 of the third reading bill, section 5, line 5, after the word "or" by inserting the word "registered", and

Further amend on page 4 of the third reading bill, section 5, line 6, after the word "the" through and including line 21, by deleting all the material contained therein, and inserting in lieu thereof the following material: "department. Said permits are to be granted only after careful consideration of the application for a permit, and be subject to the strict compliance with the following guidelines:

(a) permits may be granted only for work to be undertaken by reputable museums, universities, colleges, or other historical, scientific or educational institutions, societies or persons with a view toward dissemination of knowledge about cultural properties.

(b) the permit must specify that a summary report of such investigations, containing relevant maps, documents, drawings and photographs be submitted to the department which shall in turn submit the report to an appropriate repository. The department shall determine the appropriate time period allowable between all work undertaken, and submission of the summary report.

(c) permits will be preferentially granted to resident persons unless in the event that a state person is unavailable, unqualified, or uninterested in the work proposed for investigation. In the event that a permit is granted to a nonstate person, there must be provision that removed objects may not leave or must revert to the state of Montana, provided that all specimens so collected shall be and remain the property of the state of Montana, and provided further that the department and the society may give permission for the loan of such materials for scientific or educational purposes.", and

Further amend on page 5 of the third reading bill, section 7, line 5, after the word "all" by striking the word "[such]" and inserting in lieu thereof the word "registered", and

Further amend on page 5 of the third reading bill, section 7, line 5, after the word "and" by inserting the word "registered", and

Further amend on page 6 of the third reading bill, section 10, line 12, after the word "or" by inserting the word "registered", and

Further amend on page 6 of the third reading bill, section 10, line 13, after the word "object" by striking the word "[thereon]", and

Further amend on page 6 of the third reading bill, section 10, line 22, after the word "or" by inserting the word "registered", and

Further amend on page 6 of the third reading bill, section 10, line 22, after the word "objects" by striking the word "[thereon]", and

Further amend on page 7 of the third reading bill, section 12, line 9, after the word "person" by striking the word "[in charge of any]", and

Further amend on page 7 of the third reading bill, after line 17, by inserting a new section 13 to read: "Section 13. The governor may appoint an advisory council from properly qualified persons in the fields of anthropology, archaeology, paleontology, and history and other related disciplines to advise and consult with the department and the board relating to all matters of Montana's antiquities.", and

Further amend on page 7 of the third reading bill, by renumbering subsequent sections to conform numerically, and

And as amended, be concurred in.

(Material brackets denotes cancelled type.)

BRAND, Chairman

Report adopted.

The Speaker signed in open session Senate Bills Nos. 218, 138, 203, 136, 361, 404, 238, 192, 125, 200, 126, 177, 207, 213, 149, 259, 310, 327, 351, 359 and Senate Joint Resolution No. 38.

## REPORTS OF STANDING COMMITTEES

March 7, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 446, respectfully report as follows: That Senate Bill No. 446 be amended on page 16, section 13, line 15 of the third reading bill (being page 16 section 13, line 3 of the original bill) after the word "witnesses" by striking the following material "[, issue subpoenas to require the production of books, papers, records and documents which may be needed as evidence of any matter under inquiry]", and

Further amend on page 20, line 5 through and including line 6 of the third reading bill (this material not being in the original bill) by striking all of the underlined material therein in its entirety, and

And as amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

March 7, 1973

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 278, respectfully report as follows: That Senate Bill No. 278 be not concurred in.

McKITTRICK, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus,

Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Mr. Speaker. Total 64.

Noes: Brown, Castles, East, Ellerd, Galt, Hager, Halvorson, Holtz, Jones, Lundgren, Marks, Mercer, Rolfe, Selstad, Smith, Walborn. Total 16.

Excused: Colberg, Hubing, Lockrem. Total 3.

Absent or not voting: Aageson, Edland, Fasbender, Flynn, Hall, Jacobsen, Johnston, Kvaalen, Olson, Prevost, Staigmiller, Stephens, Towe, Warfield, Watt, Yardley, Zimmer. Total 17.

### MESSAGES FROM THE GOVERNOR

March 6, 1973

Honorable Harold Gerke  
Speaker of the House  
State Capitol  
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 9, 89, 104, 138, 139, 151, 170, 186, 188, 198, 206, 209, 230, 308, 416, 435, 436 and 486.

House Joint Resolutions Nos. 2, 32 and 34.

Sincerely

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

### MESSAGES FROM THE SENATE

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 129, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator McKeon, Chairman  
Senator Goodheart  
Senator Lowe

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 369, and

on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator Turnage, Chairman  
Senator Bennett  
Senator Lynch

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 383, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Free Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator Thiessen, Chairman  
Senator Lynch  
Senator Harrison

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on Senate Bill No. 121 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 127, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator McKeon, Chairman  
Senator DeWolfe  
Senator Bennett

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the



Joint Conference Committee Report on House Bill No. 23 was this day adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on Senate Bill No. 115 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 5 was this day adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 128, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Conference Committee from the Senate to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator Bertsche, Chairman  
Senator Siderius  
Senator McNamer

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 142 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Joint Conference Committee Report on House Bill No. 246 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 25, introduced by Ainsworth & Gerke (by request)

House Bill No. 69, introduced by Brand, et al

House Bill No. 112, introduced by Swanberg, et al

House Bill No. 171, introduced by Menahan, Cox & Hubing

House Bill No. 279, introduced by Hall

House Bill No. 283, introduced by Cotton

House Bill No. 392, introduced by Lynch, et al

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 61, introduced by McKittrick, et al

House Bill No. 125, introduced by Warfield, et al

House Bill No. 249, introduced by Fagg and Healy

House Bill No. 313, introduced by Zimmer and Laas

House Bill No. 349, introduced by Zimmer and Marks

House Bill No. 440, introduced by Lee

House Bill No. 549, introduced by Menahan, et al

House Joint Resolution No. 5, introduced by Kosena, et al

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 29 was this day recommended by Committee

of the Whole that the bill be Indefinitely Postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

March 6, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day, by Committee Reports, recommended that the bills be not concurred in, reports adopted on roll call, and the bills are herewith returned to the House.

House Bill No. 278, introduced by Towe and Tierney

House Bill No. 425, introduced by T. Selstad

House Bill No. 530, introduced by Towe, et al

Respectfully,

JOHN N. HANSON

Acting Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Baucus moved that Senate Bill No. 233 be taken from Committee on Fish and Game and placed on Third Reading this day.

Motion carried.

Towe moved that House Joint Resolution No. 26 be taken from Long Range Building Committee and be printed and placed on Second Reading. Towe requested a roll call vote with the ayes and nays spread on the Journal. Sufficient seconds arose.

Cox moved the previous question.

Motion carried.

Thereupon, the original motion carried by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brown, Castles, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lucas, Lundgren, Marbut, Marks, Mercer, Murphy, Norman, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Yardley. Total 55.

Noes: Ainsworth, Asbjornson, Barrett, Baucus, Brand, Burnett, Campbell, Clemow, Ellerd, Fasbender, Flynn, Galt, Haines, Healy, Jacobsen, Johnston, Kessner, Kosena, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Nichols, Olson, Prevost, Quilici, Schepens, Schye, Smith, Staigmiller, Swanberg, Turner, Walborn, Zimmer, Mr. Speaker. Total 40.

Excused: Colberg, Hubing, Lockrem. Total 3.

Absent or not voting: Hageman, Watt. Total 2.

Edland moved that House Resolution No. 18 be moved from the Committee on Legislative Administration to the Committee on Rules.

Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lien in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That Senate Bill No. 86 be amended in section 3, subsection 1, page 5, line 2, by adding after the existing material the following new material: "However, if these screenings are sold for feed, it shall be the responsibility of the feed buyer to haul under a tarp cover or other tight container until the provisions of this act are met." (50-27)

And as amended, be concurred in (77-10).

That Senate Bill No. 175 be passed for the day.

That Senate Bill No. 187 be amended in section 3, line 3 of the Senate Third Reading bill, after "66-2204," by inserting the following new material, "and certified pharmacies licensed under section 66-1508 (b)," and

Further amend on page 14, section 3, line 4, after "provided that" by deleting the word "[pharmacists]" and inserting in lieu thereof, "certified pharmacies", and

Further amend on page 14, section 3, line 6, after "however, the" by deleting the word "[pharmacists]" and inserting in lieu thereof, "certified pharmacies", and

Further amend on page 14, section 3, line 10, after "pharmacists" by inserting " , certified pharmacies". (69-1)

And as amended, be concurred in (72-4).

That Senate Bill No. 201 be amended in the title by inserting the following words and punctuation preceding the word "providing" in line 12, page 1: "providing for the attorney general to act upon reported violations;" (74-0)

And be further amended in section 8, subsection (3), page 4, line 13 of the third reading bill by adding the following words and punctuation following the word "violation." on line 13: "The attorney general shall take such action as may be necessary, including investigation, and if upon his investigation, evidence is obtained of a violation of the penal statutes of the state the attorney general may institute a prosecution; provided however, the authority herein granted to the attorney general to institute prosecutions is limited to those matters relating to the scope of the duties of the legislative auditor." (52-47)

And as amended, be concurred in (74-16).

(Material brackets denotes cancelled type.)

That Senate Bill No. 345 be amended on page 1, section 1, line 16 of the Senate Third Reading bill, after the word "the" by deleting the word "[state]" and further amend on the same line, after the word "of" by deleting the words "[examiners for]", and



Further amend on page 1, section 1, line 18 of the Senate Third Reading bill, after the word "members.", by deleting the word "[Two]" and inserting in lieu thereof the words "No more than two" and

Further amend on page 1, section 1, line 19 of the Senate Third Reading bill, after the word "administrators", by deleting the following words: "[and three (3)]", and inserting in lieu thereof the punctuation and words as follows: ". The other three (3) members" and

Further amend on page 1, section 1, line 19 of the Senate Third Reading bill, after the word "of" by deleting the word "[the]" and

Further amend on page 1, section 1, line 20, of the Senate Third Reading bill, after the word "professions", by deleting the word "[and]", and inserting in lieu thereof the word "or" and

Further amend on page 1, section 1, line 20 of the Senate Third Reading bill, after the word "with" by inserting the word "the" and

Further amend on page 1, section 1, line 22 of the Senate Third Reading bill, after the word "profession", by inserting the following new material: "and none may have a financial interest in any nursing home" and

Further amend on page 2, section 1, line 15, of the Senate Third Reading bill, after the word "years" by inserting the following punctuation and words: ", and they shall serve staggered terms with not more than one (1) term expiring each year" and

Further amend on page 2, section 1, line 18 of the Senate Third Reading bill, by deleting all of the following material: "[which list shall include representatives of nursing home administrators and university units offering programs in public health or medical or nursing home care administration)]" and

Further amend on page 3, section 1, line 3, by deleting material as follows: "[Appointments of members representing nursing home administrators, shall be limited to persons who are approved by the director of the department of health and environmental sciences as a nursing home administrator, as such term is defined in this act]." (65-2)

And as amended, be concurred in (76-0).

That Senate Bill No. 386 be concurred in (67-9).

That Senate Bill No. 393 be concurred in (71-1).

That Senate Bill No. 397 be concurred in (71-10).

That Senate Bill No. 403 be concurred in (73-0).

That Senate Bill No. 406 be concurred in (50-40).

That Senate Bill No. 407 be concurred in (75-1).

That Senate Bill No. 427 be concurred in (54-28).

That Senate Bill No. 431 be concurred in (82-0).

That the Committee rise and report.

(Material brackets denotes cancelled type.)

LIEN, Chairman

Report adopted.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 166 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Asbjornson, Barrett, Bell, Burnett, Fagg, Galt, Hager, Mercer, Seifert, Selstad. Total 10.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Brand, Fleming, Halvorson, Kessner, Lund, Manuel, Smith. Total 7.

House Bill No. 517 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Johnston, Lundgren, Selstad. Total 3.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Brand, Halvorson, Kessner, Smith. Total 4.

House Bill No. 97 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Brand, Burnett, Cotton, Galt, Gunderson, Schye, Seifert, Selstad. Total 8.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Halvorson, Kessner, Smith. Total 4.

## THIRD READING OF SENATE BILLS

The following bills having been read three several time, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 28 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Hager. Total 2.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Brand, Halvorson, Kessner, Norman, Smith. Total 5.

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Holmes, Huennekens, McKittrick, Towe. Total 4.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Brand, Halvorson, Kessner, Nichols, Smith. Total 6.

Senate Bill No. 214 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Cox, Glennen, Hager, Mercer. Total 4.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Brand, Halvorson, Kessner, Smith. Total 5.



Senate Bill No. 336 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Baeth, Burnett, Colberg, Driscoll, Greely, Gunderson, Hageman, Hodges, Holmes, Kendall, McKittrick, Staigmiller, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn. Total 18.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Brand, Halvorson, Kessner, Smith. Total 5.

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Driscoll, Holmes, Holtz, Manuel, Nichols, Rolfe, Seifert, Selstad, Turner, Walborn. Total 10.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Brand, Halvorson, Jacobsen, Kessner, Kosena, Smith. Total 7.

Barrett moved that Senate Joint Resolution No. 28 be amended by deleting the first "Be It Further Resolved" in its entirety.

Motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Forsgren, Glennen, Hager, H. Harper, Healy, Holmes, Holtz, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Nichols, Olson, Prevost, Quilici, Schepens, Seifert, Shelden, Smith, Swanberg, Tierney, Turman, Ulmer, Walborn, Warfield, Watt. Total 50.

Noes: Baeth, Bradley, Brand, Burnett, Colberg, Cotton, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, R. Harper, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kolstad, Lien, Lombardi, Marbut, Menahan, Murphy, Regan, Roberts, Rolfe, Selstad, Staigmiller, Stephens, Stoltz, Towe, Turner, Yardley, Zimmer, Mr. Speaker. Total 40.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Bennetts, Ellerd, Galt, Halvorson, Kessner, Norman, Schye. Total 8.



And be further amended by deleting in its entirety, the third "BE IT FURTHER RESOLVED".

Motion failed by the following vote:

Ayes: Asbjornson, Barrett, Bell, Campbell, Castles, East, Jones, Marks, Walborn, Clemow. Total 10.

Noes: Aageson, Ainsworth, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Galt, Halvorson, Kessner, Schye, Shelden, Smith, Turman. Total 8.

Senate Joint Resolution No. 28 was concurred in as amended by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Fleming, Flynn, Forsgren, Glennen, Hageman, H. Harper, Healy, Hodges, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Quilici, Seifert, Shelden, Towe, Turman, Warfield, Watt. Total 50.

Noes: Bennetts, Bradley, Brand, Clemow, Colberg, Edland, Ellerd, Fagg, Fasbender, Greely, Gunderson, Hager, Haines, Hall, R. Harper, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Lien, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Yardley, Zimmer, Mr. Speaker. Total 42.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Galt, Halvorson, Jones, Kessner, Schye. Total 6.

Senate Bill No. 180 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Gunderson, Watt. Total 2.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Holmes, Kessner, Lien. Total 4.

Senate Bill No. 196 was concurred in by the following vote:

Ayts: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kessner, Lien. Total 3.

Senate Bill No. 208 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fاسبender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Aageson, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Jones, Kolstad, Mercer, Rolfe, Seifert, Smith, Turner, Selstad, Ulmer. Total 22.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kessner, Marbut, Olson, Zimmer. Total 5.

Senate Bill No. 245 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Flynn, Holmes. Total 3.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kendall, Kessner, Schye. Total 4.

Senate Bill No. 292 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fas-

bender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kessner. Total 2.

Senate Bill No. 306 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Castles, Clemow, Cox, East, Ellerd, Galt, Glennen, Hager, Holtz, Jones, Kolstad, Lien, Lombardi, Lundgren, Marks, Mercer, Nichols, Rolfe, Schye, Selstad, Smith, Turner, Ulmer, Walborn, Zimmer. Total 29.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Jacobsen, Kessner, Olson. Total 4.

Senate Bill No. 308 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 91.

Noes: Burnett, Clemow, Flynn. Total 3.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Hall, Halvorson, Kessner, Yardley. Total 4.

Senate Bill No. 343 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch,



McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kessner, Yardley. Total 3.

Senate Bill No. 360 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Halvorson, Kessner. Total 3.

Senate Bill No. 366 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Towe, Shelden, Smith, Staigmiller, Stephens, Stoltz, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Burnett, Clemow, Colberg, Greely, Hager, Jones, McKitt-rick, Swanberg, Tierney. Total 10.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Halvorson, Kessner, Lundgren, Zimmer. Total 4.

Senate Bill No. 371 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKitt-rick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg,



Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 94.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Colberg, Halvorson, Kessner, Mr. Speaker. Total 4.

Senate Amendments to House Bill No. 85 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Galt, Gunderson, Hageman, H. Harper, Marbut, Tierney, Turman. Total 7.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bardanouve, Bennetts, Ellerd, Halvorson, Kessner. Total 5.

Senate Amendments to House Bill No. 143 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Smith, Walborn. Total 2.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Ellerd, Halvorson, Kessner. Total 4.

Senate Amendments to House Bill No. 304 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swan-

berg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Edland, Manuel. Total 2.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Flynn, Forsgren, Halvorson, Holmes, Kessner, Lundgren, Nichols. Total 8.

Senate Amendments to House Bill No. 333 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Clemow, Cotton, Edland. Total 3.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Ellerd, Flynn, Halvorson, Kessner, Kosena, Lundgren. Total 7.

Senate Amendments to House Bill No. 469 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Bradley, Ellerd, Flynn, Forsgren, Halvorson, Kessner, Olson. Total 8.

Senate Amendments to House Bill No. 96 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Aageson, Clemow, Cox, Hager, Holmes, Jones, Kolstad, Lucas, Marbut, Rolfe, Smith, Turman, Turner, Ulmer. Total 14.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Ellerd, Halvorson, Kessner, Laas. Total 4.

Senate Amendments to House Bill No. 127 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huenekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Ellerd, Halvorson, Holmes, Kessner. Total 4.

Senate Amendments to House Bill No. 197 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huenekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Stephens. Total 1.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Ellerd, Halvorson, Kessner, Kosena. Total 5.

Senate Amendments to House Bill No. 270 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, R. Harper, Healy, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.



Noes: Bennetts, Burnett, Greely, H. Harper, Hodges, Huennekens, Lucas, McKittrick, Marbut, Towe. Total 10.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Ellerd, Fagg, Halvorson, Holmes, Kessner, Menahan, Zimmer. Total 8.

Senate Amendments to House Bill No. 275 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Ellerd, Hall, Halvorson, Kessner, Shelden. Total 6.

Senate Amendments to House Bill No. 301 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Campbell, Lien, Olson, Turner. Total 4.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Asbjornson, Edland, Ellerd, Kessner, Halvorson, Nichols, Selstad, Shelden, Zimmer. Total 9.

Senate Amendments to House Bill No. 403 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith,



Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Bell, Cotton. Total 2.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Ellerd, Halvorson, Kessner, Shelden, Ulmer. Total 6.

Senate Amendments to House Bill No. 423 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Fagg, Lien, Turner. Total 3.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Aageson, Cotton, Edland, Ellerd, Fasbender, Fleming, Halvorson, Kessner, Schye, Shelden, Ulmer, Zimmer. Total 12.

Senate Amendments to House Bill No. 428 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bradley, Brand, Colberg, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Lien, Lombardi, McKittrick, Manuel, Marbut, Marks, Mehrens, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Selstad, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 58.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Ellerd, Forsgren, Galt, Hager, Hodges, Jones, Kolstad, Lee, Lucas, Lund, Lundgren, Lynch, Menahan, Mercer, Olson, Prevost, Rolfe, Schye, Seifert, Smith, Tierney, Turner, Ulmer, Walborn. Total 34.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Bennetts, Edland, Kessner, Laas, Shelden, Zimmer. Total 6.

Paired: Halvorson, aye; Aageson, nay.

Senate Amendments to House Bill No. 468 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer,

Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Glennen, Manuel, Schye, Seifert, Selstad, Smith, Tierney. Total 7.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Asbjornson, Burnett, East, Edland, Ellerd, Hall, Halvorson, Kessner, Olson, Regan, Shelden. Total 11.

Senate Amendments to House Bill No. 502 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Bell, Bennett, Clemow, Cox, Galt, Hall, H. Harper, Holmes, Jones, Lien, McKittrick, Mercer, Roberts, Schye, Seifert, Smith, Staigmiller, Turner, Walborn. Total 19.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Campbell, East, Edland, Ellerd, Fleming, Flynn, Halvorson, Kendall, Kessner, Selstad, Shelden, Zimmer. Total 12.

Senate Amendments to House Bill No. 571 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Edland, Ellerd, Flynn, Halvorson, Kessner, Shelden. Total 6.

Senate Amendments to House Joint Resolution No. 16 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer,

Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Ainsworth, Edland, Ellerd, Flynn, Galt, Glennen, Halvorson, Holmes, Kessner, Lucas, Olson, Schye, Shelden. Total 13.

Senate Bill No. 233 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, Fasbender, Fleming, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 68.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Cotton, Fagg, Glennen, Greely, H. Harper, McKittrick, Marbut, Murphy, Roberts, Smith, Swanberg, Tierney, Turman, Watt, Zimmer. Total 19.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Ainsworth, Colberg, East, Edland, Ellerd, Flynn, Halvorson, Kessner, Lucas, Nichols, Schye. Total 11.

## STANDING COMMITTEE REPORTS

March 7, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 13, 5, 99, 126, 543, 296, 352, 167.

QUILICI, Chairman

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 41, respectfully report as follows: That Senate Bill No. 41 be concurred in.

FLEMING, Chairman

Report adopted.

March 3, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44 be concurred in.

FLEMING, Chairman

Report adopted.

March 7, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be amended on the third reading corrected copy as follows:

Be amended in section 2, page 4, line 22, after the word "by" by striking the word "[machinery]", and



Be further amended in section 2, page 4, line 23, after the word "description" by striking the following material: "[of more than eight (8) horsepower]", and

Be further amended in section 3, subsection (d), page 10, line 7, after the word "change," by inserting the following new material: "within a reasonable time", and

Be further amended after section 12, subsection (b), following line 24 on page 23, by adding a new section 13 to read as follows: "Section 13. Education Program. The Board shall coordinate a statewide boat safety education program.", and

Be further amended by renumbering subsequent sections to conform numerically.

And as so amended, be concurred in.

(Material brackets denotes cancelled type.)

STAGMILLER, Chairman

Report adopted.

March 6, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 444, respectfully report as follows: That Senate Bill No. 444 be amended in the Senate Third Reading Bill as follows:

Amend on page 1, title, line 5, by striking the number and punctuation "[89-125,]", and

Further amend on page 1, title, lines 5 and 6, by striking "[89-819, 89-823 through 89-826]" and inserting in lieu thereof "89-804, 89-807 through 89-816", and

Further amend on page 1, title, line 6, following "89-829 through" by inserting "89-842, 89-844 and", and

Further amend on page 1, title, line 7, following the number "89-1001" by inserting the punctuation ":", and

Further amend on page 1, title, line 16, by striking the number and punctuation "[89-125,]", and

Further amend on page 1, title, lines 16 and 17, by striking "[89-819, 89-823, through 89-826]" and inserting in lieu thereof "89-804, 89-807 through 89-816", and

Further amend on page 1, title, line 17, following the number and word "89-829 through" by inserting "89-842, 89-844 and", and

Further amend on page 1, title, lines 22 and 23, by striking "[, and providing an effective date]", and

Further amend on page 34, section 4, subsection (1), subparagraph (d), line 21, by striking the punctuation "." and inserting in lieu thereof the punctuation ":", and

Further amend on page 34, section 4, subsection (1), subparagraph (d), following line 21, by inserting the following: "(e) Upon request by any person, cooperate with, assist, and advise that person in matters pertaining to measuring water or filing declarations with the department under this act."

Further amend on page 36, section 6, subsection (1), line 8, following the "(1)" by inserting the following: "The department shall establish a centralized record system of all existing rights, and", and



Further amend on page 36, section 6, subsection (1), line 9, following the word and punctuation "practicable," by inserting the words "begin proceedings under this act to", and

Further amend on page 36, section 6, subsection (2), line 15, following the word "first" by inserting the words "begin proceedings under this act to", and

Further amend on page 36, section 7, subsection (1), lines 22 through 25, and on page 37, lines 1 through 4, by striking the material therein in its entirety beginning with the word "A" on line 22 on page 36 and continuing through the word and punctuation "adjudicated." on line 4 on page 37, and

Further amend on page 37, section 8, subsection (1), line 25, after the word "within" and before the word "six" by striking the word and figure "[six (6) months]" and inserting in lieu thereof the words and figure "one (1) year", and

Further amend on page 38, section 8, subsection (2), line 16, following the word "oath" and before the word "on" by inserting the following: "by each person claiming an existing right to use water within the specified area or from the specified source", and

Further amend on page 38, section 8, subsection (2), line 25, following the word "copy" and before the word "of" by inserting the words "or the docket number", and

Further amend on page 39, section 9, subsection (2), line 17, following the word "within" by striking the word and figure "[ten (10)]" and inserting in lieu thereof the word and figure "thirty (30)", and

Further amend on page 40, section 10, subsection (1), line 2, following the word "act" by inserting the following: "and of all other persons who appear from the data gathered by the department to have existing rights to the use of waters within the specified area or from the specified source", and

Further amend on page 40, section 11, subsection (3), line 22, following the words "in the" by inserting the following: "petition filed under section 9 of this act or named in the preliminary", and

Further amend on page 41, section 11, subsection (4), line 1, following the word "the" and before the word "preliminary" by inserting the following: "petition or in the", and

Further amend on page 41, section 11, subsection (4), line 2, following the word "time" by inserting the following: ", and he may purchase copies of any of the data.", and

Further amend on page 41, section 11, subsection (4), lines 3 and 4, by striking them in their entirety.

Further amend on page 41, section 12, subsection (1), lines 6 and 7, by striking in its entirety the material beginning with the word "whose" on line 6 and continuing through the word "and" on line 7 and insert in lieu thereof the following: "named in the petition filed under section 9 of this act or named in the preliminary decree, or any other person for good cause shown.", and

Further amend on page 41, section 12, subsection (2), line 12, following the word "within", by striking the word and figure "[sixty (60)]" and inserting in lieu thereof the following: "ninety (90)", and

Further amend on page 41, section 12, subsection (2), lines 12 and 13, following the word "after" by striking the words "[the effective date]" and inserting in lieu thereof the word "receipt", and

Further amend on page 41, section 12, subsection (2), line 13, following the word and punctuation "decree." by inserting the following: "The district court shall, for good cause shown, reasonably extend this time limit if application for the extension is made within ninety (90) days after receipt of the preliminary decree."

Further amend on page 41, section 12, subsection (2), line 15, following the word and punctuation "serve," by striking the words "[as in civil actions]" and inserting in lieu thereof the following: "by certified mail with return receipt requested", and

Further amend on page 43, section 13, subsection (4), subparagraph (h), line 18, following the first word "the" by inserting the word "approximate", and

Further amend on page 44, section 14, subsection (2), lines 13 through 15, by striking them in their entirety, and

Further amend on page 45, section 16, subsection (1), by striking the material on lines 3 through 10 in its entirety, beginning with "(1)" on line 3, and

Further amend on page 45, section 16, subsection (2), line 11, by renumbering subsection "[ (2) ]" as subsection "(1)", and

Further amend on page 45, section 16, subsection (3), line 18, by renumbering subsection "[ (3) ]" as subsection "(2)", and further amend line 18 by striking the words and punctuation "[after the effective date of this act, and]", and

Further amend on page 45, section 16, subsection (3), line 19, following the word "in" strike the words "[this act]" and insert in lieu thereof "subsection (4) of this section", and

Further amend on page 46, section 16, subsection (4), line 7, by renumbering subsection "(4)" as subsection "(3)", and

Further amend on page 46, section 16, subsection (5), line 19, by renumbering subsection "[ (5) ]" as subsection "(4)", and

Further amend on page 47, section 16, subsection (5), lines 9 through 15, by striking the material therein in its entirety beginning with the word "person" on line 9 and continuing through the word and punctuation "diligence," on line 15 and inserting in lieu thereof the word and punctuation "appropriator."

Further amend on page 47, section 16, subsection (5), line 15, following the word "filing" strike the words "[shall determine the]" and insert in lieu thereof the following: "of the notice of completion is the date of", and

Further amend on page 47, section 16, subsection (6), line 17, by renumbering subsection "[ (6) ]" to read subsection "(5)", and

Further amend on page 48, section 16, subsection (7), line 4, by renumbering subsection "[ (7) ]" as subsection "(6)", and

Further amend on page 52, section 22, subsection (3), line 16, following the words "send the" strike the word "[certificate]" and insert in lieu thereof the word "permit", and

Further amend on page 53, section 24, subsection (2), line 15, by inserting after "(2)" the following: "Except as provided in section 16 (4) of this act," and

Further amend on page 54, section 26, subsection (3), subparagraph

(a), line 15, by striking the word "[resercation]" and inserting in lieu thereof the word "reservation", and

Further amend on page 55, section 26, subsection (5), line 8, by striking the words "[existing rights]" and inserting in lieu thereof the following: "any rights in existence when the order reserving waters is adopted", and

Further amend on page 55, section 26, subsection (6), line 11, following the word and punctuation "met." by inserting the following: "Where the objectives of the reservation are not being met, the board may extend, revoke or modify the reservation."

Further amend on page 56, section 27, subsection (2), line 11, following the word and punctuation "change." by inserting the following: "Notice of the proposed change shall be given in accordance with section 17 of this act."

Further amend on page 57, section 30, subsection (2), lines 20 through 22, following the word and punctuation "use," on line 20 by striking these lines in their entirety and inserting in lieu thereof the following words and punctuation: "There shall be a prima facie presumption that the appropriator has abandoned his right in whole or for the part not used."

Further amend on page 58, section 31, subsection (1) and (2), following the word "shall" on line 7, through line 23 strike all the material in its entirety and insert in lieu thereof the following words and punctuation: "petition the district court which determined the existing rights in the source of the appropriation in question to hold a hearing to determine whether the appropriation right has been abandoned. Proceedings under this section shall be conducted in accordance with the Montana Rules of Civil Procedure, and appeals shall be taken in accordance with the Montana Rules of Appellate Civil Procedure."

Further amend on page 58, section 31, subsection (3), line 24, by renumbering subsection "(3)" to subsection "(2)", and

Further amend on page 59, section 31, subsection (4) and (5), lines 3 through 9, by striking this material in its entirety; and

Further amend on page 59, section 31, subsection (5), line 10, by striking the words "[is declared abandoned, and the order]" and inserting in lieu thereof the following: "(3) The determination of the court", and

Further amend on page 59, section 31, subsection (5), line 11, by striking the word "[that]" and inserting in lieu thereof the word "the", and

Further amend on page 59, section 31, subsection (5), line 12, by striking the word "[order]" and inserting in lieu thereof the word "determination", and

Further amend on page 59, section 32, subsection (2), lines 21 through 25 on page 59, lines 1 through 4 on page 60, by striking this material in its entirety; and

Further amend on page 60, section 32, subsection (3), line 5, by renumbering subsection "([3])" as subsection "(2)", and

Further amend on page 60, section 32, subsection (3), lines 5 and 6, following the word "controversy" by striking the following: "[involving a claimant of an existing right]", and

Further amend on page 60, section 32, subsection (3), lines 9 and 10, by striking the following: "[or on the petition of one (1) or more of the parties to the controversy, proceeds]", and



Further amend on page 60, section 32, subsection (3), line 10, following the word "time" by inserting the words "begin proceedings", and

Further amend on page 60, section 32, subsection (3), lines 14 through 16, following the word and punctuation "parties." on line 14 strike the remaining material in its entirety; and

Further amend on page 60, section 32, subsection (4), line 17, by renumbering subsection "([4])" to subsection "(3)", and

Further amend on page 60, section 32, subsection (4), line 19, by inserting between the word "under" and the word "this" the following words and numbers: "sections 6 through 15 of", and

Further amend on page 61, section 32, subsection (5), line 5, by renumbering subsection "([5])" to subsection "(4)", and

Further amend on page 63, section 38, line 18, following the word and punctuation "fund." by inserting the following: "All penalties or fines imposed by any court for a violation of this act shall be deposited in the general fund of the county where the court presides and shall be disposed of in the same manner as any other penalty or fine.", and

Further amend on page 63, section 39, subsection (1), line 25, following the words "by a" by striking the word "[final]", and

Further amend on page 64, section 39, subsection (1), line 5, following the first word "the" by striking the word "[final]", and

Further amend on page 64, section 39, subsection (1), line 8, by striking the words "[bound by the final]" and inserting in lieu thereof the following: "owning water rights in the source affected by the", and

Further amend on page 64, section 39, subsection (1), line 10, following the word "the" strike the word "[final]", and

Further amend on page 64, section 39, subsection (1), line 10, following the words and punctuation "[or decrees,]" by inserting the following: "and by any certificates and permits issued under the Montana Water Use Act", and

Further amend on page 64, section 39, subsection (2), line 19, by inserting after the word "decree" and before the comma ",", the following: "issued under the Montana Water Use Act", and

Further amend on page 66, section 39, subsection (5), lines 8 and 9, following the words "users of" by striking the words and punctuation "[decreed, stored and supplemental]" and inserting in lieu thereof the words "the distributed", and

Further amend on page 66, section 40, subsection (a), line 25, by inserting (without underlining) the word "area" after the second word "water" and before the word "or", and

Further amend on page 73, section 44, line 20, following the word and punctuation "incorrect." by inserting the following: "The administrator shall provide a copy of the complete and correct well log to the Montana bureau of mines and geology.", and

Further amend on page 74, section 46, line 4, by striking "[89-125]", and

Further amend on page 74, section 46, line 5, following the first word "through" strike the following numbers, punctuation and word: "[89-819, 89-823 through 89-826,]", and insert in lieu thereof the following: "89-804, 89-807 through 89-816," and



Further amend on page 74, Section 46, line 5, following the third word "through" by inserting the following: "89-842, 89-844 and ", and

Further amend on page 74, Section 47, lines 9 and 10, by striking this material in its entirety and inserting in lieu thereof the following: "Section 47. If a part of this act is invalid, all valid parts that are severable from the valid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as so amended, be concurred in.

SHELDEN, Chairman

Report adopted.

March 7, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 be amended as follows:

Amend on page 5, line 4, by striking Section 11 in its entirety and re-numbering all subsequent Sections to conform numerically;

Further amend on page 6, Section 13, by striking the material in lines 21, 22, 23, and 24 in their entirety and inserting in lieu thereof on line 21 the following material: "From Revolving Fund 118,743 107,946";

Further amend on page 7, Section 13, line 7, by striking the figures "[15,236 16,330]" and inserting in lieu thereof the following figures "108,986 143,464";

Further amend on page 7, Section 13, line 17, by striking the figures "[102,400 210,000]" and inserting in lieu thereof the following figures "512,400 548,800";

Further amend on page 8, Section 13, line 11, by striking the figures "[159,401 147,294]" and inserting in lieu thereof the following figures "161,481 149,294";

Further amend on page 8, Section 13, by inserting following line 15 the following material:

**"BOARD OF TAX APPEALS**

From General Fund	179,695	175,668";
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Further amend on page 10, Section 13, line 2, by striking the figures "[203,036 202,691]" and inserting in lieu thereof the following figures "174,659 173,305";

Further amend on page 10, Section 13, following line 2, by inserting the following material:

**"Transportation Program**

From Earmarked Rev. Fund	28,895	29,930";
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Further amend on page 10, Section 13, following line 17, by adding the following material:

**"Consumer Protection Division**

From General Fund	62,137	60,545";
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Further amend on page 10, Section 13, line 20, by striking the figures "[19,448 19,837]" and inserting in lieu thereof the following figures "60,000 60,000";

Further amend on page 10, Section 13, line 23, by striking the figures "[109,326 111,140]" and inserting in lieu thereof the following figures "124,326 128,140";

Further amend on page 14, Section 13, by striking all of the material in lines 10 and 11 in their entirety;

Further amend on page 14, Section 13, line 19, by striking the figures "[312,298 315,997]" and inserting in lieu thereof the figures "142,298 145,997";

Further amend on page 14, Section 13, by inserting following line 19 the following material:

"Grants and Benefits		
From General Fund	160,000	160,000";

Further amend on page 14, Section 13, line 21, by striking the figures "[113,590 114,948]" and inserting in lieu thereof the following figures "215,000 225,000";

Further amend on page 14, Section 13, by striking all the material in line 23 in its entirety and inserting in lieu thereof the following material:

"Land Reclamation Acct. All  
available funds are hereby  
appropriated.";

Further amend on page 14, Section 13, line 25, by striking the figures "[104,994 100,823]" and inserting in lieu thereof the figures "114,994 118,283";

Further amend on page 16, Section 13, line 9, by striking the figures "[145,821 146,510]" and inserting in lieu thereof the figures "165,821 166,510";

Further amend on page 17, Section 13, line 6, by striking all of the Department of Natural Resources and Conservation from this bill; lines 6 through 25 on page 17, lines 1 through 25 on page 18, and lines 1 through 8 on page 19.

Further amend on page 19, Section 13, line 12, by striking the figures "[8,613,704 9,188,620]" and inserting in lieu thereof the figures "9,198,804 9,193,520";

Further amend on page 19, Section 13, by inserting following line 13 the following material:

"Legal Services		
From General Fund	50,000	50,000
From Fed. & Priv. Rev. Fund	150,000	150,000";

Further amend on page 19, Section 13, line 16, by striking the figures "[2,788,947 2,730,270]" and inserting in lieu thereof the following figures "2,938,947 2,880,270";

Further amend on page 19, Section 13, line 18, by striking the figures "[257,706 267,367]" and inserting in lieu thereof the following figures "317,706 327,367";

Further amend on page 19, Section 13, line 20, by striking the figures "[1,117,000 1,158,484]" and inserting in lieu thereof the following figures "1,267,000 1,308,404";

Further amend on page 20, Section 13, by striking all the material in line 17 in its entirety;

Further amend on page 21, Section 13, line 1, by adding the following new material: "Any funds appropriated to the department of public welfare which are unexpended during the biennium ending June 30, 1973, are hereby reappropriated to the department of social and rehabilitation serv-

ices for the biennium ending June 30, 1975. In the event the general fund money for Legal Services does not generate matching Federal funds they shall revert to the general fund."

#### "DEPARTMENT OF HIGHWAYS

Gen. Operation Program		
From Earmarked Revenue Fund		
Highway Account	3,180,026	3,289,575
From Fed. & Priv. Rev. Fund		
Highway Trust Account	1,706,012	1,706,012
Construction Program		
From Earmarked Rev. Fund		
Highway Account	13,852,287	20,684,366
From Fed. & Priv. Rev. Fund		
Highway Trust Acct.	43,897,115	77,757,714
Maintenance Program		
From Earmarked Rev. Fund		
Highway Account	16,983,013	18,171,824
Advertising Program		
From Earmarked Rev. Fund		
Highway Account	750,000	750,000
Preconstruction Program		
From Earmarked Rev. Fund		
Highway Account	6,622,707	6,818,336
From Fed. & Priv. Rev. Fund		
Highway Trust Acct.	16,803,920	18,047,950
Reimbursement Serv. Program		
From Revolving Fund		
Highway Dept. Serv. Acct.	625,515	625,515
State Motor Pool Program		
From Revolving Fund		
Reimbursable Motor		
Vehicle Pool Acct.	3,575,550	3,902,682

The appropriations for the department of highways include amounts for capital land and/or buildings, for which the provisions of Section 3, paragraph 4, of this act do not apply. From the Revolving Fund: The amount of \$250,000 is appropriated from the earmarked revenue fund, state highway account, to establish a revolving fund, state highway account, to cover all reimbursable expenditures. Any funds available to the Montana Highway Commission for distribution to cities and counties under Section 84-1840, R.C.M. 1947, which are unexpended during the biennium ending June 30, 1973, are hereby reappropriated to the biennium ending June 30, 1975. The provisions of Section 3 relating to annual reversions shall not apply to appropriations made under Section 84-1840, aid to cities and counties.";

And, as so amended, do pass.

BARDANOUVE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### REPORTS OF SELECT COMMITTEES

March 7, 1973

House Bill No. 46

#### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 46, beg leave to report as follows:

That we met this day and considered Senate Committee on Judiciary amendments to House Bill No. 46 and recommend as follows:

That the House accede to paragraph 1 of the Senate amendments;

That the Senate recede from paragraph 2 of the Senate amendments; and the Joint Conference Committee recommends the bill be amended as follows:

Amend Section 2, page 2, lines 15 and 16, by striking the following words and figure "[one (1) year]" and inserting in lieu thereof the following words and figure: "six (6) months";

That the Senate recede from paragraph 3 of the Senate amendments;

And that House Bill No. 46 be concurred in as amended.

(Material in brackets denotes cancelled type.)

For the House: SWANBERG  
DRISCOLL  
OLSON

For the Senate: DEVINE  
NEES  
KLINDT

Swanberg moved for adoption of the Conference Committee report and that the Committee be dissolved.

As a substitute motion, Hall moved that the Conference Committee report be rejected.

Motion carried by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Baucus, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Lee, Lien, Lombardi, Lynch, Manuel, Marbut, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Warfield, Zimmer, Mr. Speaker. Total 63.

Noes: Ainsworth, Bardanouve, Burnett, Campbell, Castles, Colberg, Forsgren, Huennekens, Kosen, Kvaalen, Laas, Lund, Lundgren, McKittrick, Mercer, Olson, Roberts, Selstad, Swanberg, Towe, Ulmer, Watt. Total 22.

Excused: Hubing, Lockrem. Total 2.

Absent or not voting: Clemow, Edland, Haines, Halvorson, Kessner, Kolstad, Lucas, Marks, Mehrens, Menahan, Smith, Walborn, Yardley. Total 13.

On motion by Representative Staigmiller, and duly carried, the Joint Conference Committee report on House Bill No. 78 was withdrawn.

## MESSAGES FROM THE SENATE

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the Senate did accede to the request of the House and is herewith returning Senate Bill No. 220 for further consideration.

Respectfully,

JOHN N. HANSON  
Acting Secretary of the Senate



Fasbender moved that the House adjourn until 1:30 p.m. March 8, 1973.

Motion carried.

House adjourned.

ED SMITH, Chief Clerk

HAROLD E. GERKE, Speaker

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### FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 8, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker Pro-Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Cox, Gerke, Hubing, Lockrem and Lucas, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-Seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

March 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Joint Resolution No. 26.

FLEMING, Vice-Chairman

March 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 531 and 582.

FLEMING, Vice-Chairman

March 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 13, 84, 168, 226, 365, 427 and House Joint Resolution No. 14.

FLEMING, Vice-Chairman

March 8, 1973

Mr. Speaker: We, your Committee on Legislative Administration, respectfully report as follows:

Pages terminated as of March 8, 1973: Carol Irigoin, Clayton Jones, Diana McFarland, Linda Reynolds, Alma Bayne, Nora Lien, Denise Osterman, Cheryl Kolstad.

New pages as of March 8, 1973: Joni Adamson, Mark Holzer, Mary Laumeyer, Holly Marlenee, Debra Bartlett, Carlee McNay, Judie Mehrens.

Terminated as of March 3, 1973: Joan Crum, Typist.

EDLAND, Chairman

Report adopted.

February 1, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 553, respectfully report as follows: That House Bill No. 553 do not pass.

WATT, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Swanberg, Turner, Walborn, Warfield, Watt, Yardley, Zimmer. Total 71.

Noes: Brand, Tierney, Towe. Total 3.

Excused: Cox, Hubing, Lockrem, Lucas, Mr. Speaker. Total 5.

Absent or not voting: Bennetts, Brown, Burnett, Ellerd, Fasbender, Flynn, Greely, Haines, Huennekens, Kessner, Kimble, Laas, Lundgren, Mehrens, Nichols, Norman, Schye, Selstad, Stoltz, Turman, Ulmer. Total 21.

February 15, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 303, respectfully report as follows: That Senate Bill No. 303 be concurred in.

WATT, Chairman

Report adopted.

February 5, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 377, respectfully report as follows: That Senate Bill No. 377 be amended on page 2, Section 1, line 5, after the word "the" by deleting the words "[board of railroad commissioners]" and inserting in lieu thereof the words "public service commission", and

As amended, be concurred in.

WATT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 31, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 212, respectfully report as follows: That Senate Bill No. 212 be concurred in.

WATT, Chairman

Report adopted.

February 21, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 583, respectfully report as follows: That

House Bill No. 583 be amended on page 1, Section 1, line 14, after the word "received" by inserting the words "by Montana residents", and

Be further amended on page 1, Section 1, line 14, after the word "service" by striking the words "[as a reserve or]" and inserting in lieu thereof the word "on", and

Be further amended on page 1, Section 1, line 15, after the word "active" by striking the words "[member of]" and inserting in lieu thereof the words "duty in", and

As amended, do pass.

WATT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

March 8, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 25, respectfully report as follows: That House Resolution No. 25 be adopted.

LEE, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Joint Resolution No. 36, respectfully report as follows: That Senate Joint Resolution No. 36 be concurred in.

EDLAND, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Joint Resolution No. 27, respectfully report as follows: That Senate Joint Resolution No. 27 be concurred in.

EDLAND, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

March 8, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended on page 5, Section 11, by striking Section 11 in its entirety.

Further amend Sections to conform numerically.

Further amend on page 5, Section 13, line 20, by striking the figures "[994,894 1,025,600]" and inserting in lieu thereof the figures "1,100,994 1,061,980";

Further amend on page 5, Section 13, line 23, by striking the figures "[748,512 781,846]" and inserting in lieu thereof "766,556 800,798";

Further amend on page 6, Section 13, line 8, by striking the figures "[1,537,095 1,633,571]" and inserting in lieu thereof "1,555,095 1,651,571";

Further amend on page 6, Section 13, line 19, by striking the figures "[360,000 400,000]" and inserting in lieu thereof "307,201 320,000";

Further amend on page 7, Section 13, by striking lines 1 through 4 in their entirety;

Further amend on page 7, Section 13, following line 4, by inserting the following new material:

“Planning Program

From the Earmarked Revenue Fund		
Fish and Game Account	13,231	14,685
From Fed. & Priv. Rev. Fund		
Fish and Game Account	39,693	44,053”;

Further amend on page 7, Section 13, line 17, by striking the figures “[101,943 116,749]” and inserting in lieu thereof “76,943 85,749”;

Further amend Section 13 by striking all the material in lines 23 through 25 on page 8, lines 1 through 25 on page 9, and lines 1 through 6 on page 10;

Further amend on page 10, Section 13, line 11, by striking the figures “[156,770 162,585]” and inserting in lieu thereof “146,770 152,585”;

Further amend Section 13 by striking all the material in lines 1 through 25 on page 13, lines 1 through 25 on page 14, and lines 1 through 8 on page 15, and inserting in lieu thereof the following:

“Operations Program

From the General Fund	559,331	535,567
From the Earmarked Rev. Fund		
Highway Account	50,000	50,000
Audit and Accounting Program		
From the General Fund	138,550	142,230
Research Program		
From the General Fund	86,198	84,459
Liquor Division Program		
From the Earmarked Revenue Fund		
Liquor Control Account	3,533,474	3,697,624
Incorp. Cities & Towns Beer		
Tax Account	1,195,600	1,320,660
From the Revolving Fund		
Liquor Control Account	23,162,314	24,002,330
Income & Inheritance Tax Program		
From the General Fund	678,662	716,116
From the Earmarked Rev. Fund		
Unclaimed Property Account	12,000	12,000
Corporation Taxes Program		
From the General Fund	189,197	190,279
Property Taxes Program		
From the General Fund	499,949	536,845
From the Earmarked Rev. Fund		
Property Tax Account	2,929,000	3,021,000
Miscellaneous Taxes Program		
From the General Fund	113,580	118,955
From the Earmarked Rev. Fund		
Cigarette Enforcement Acct.	19,000	19,000
Motor Fuel Tax Program		
Earmarked Revenue Fund		
Highway Account	274,420	302,198
Revolving Fund		
Brd. of Equalization Audit		
Account	7,200	7,200
Legal Division Program		
From the General Fund	138,218	140,218”;

Further amend on page 8, Section 13, line 6, by striking the figures “[622,253 651,729]” and inserting in lieu thereof the figures “412,500 433,125”;



Further amend on page 18, Section 13, by inserting following line 1 the following new material:

“DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Centralized Services Program		
From the General Fund	426,217	444,033
From the Earmarked Rev. Fund		
Oil and Gas Account	22,400	22,500
Grass Conservation Account	1,545	1,607
Oil and Gas Regulation Program		
From the Earmarked Rev. Fund		
Oil and Gas Account	206,012	213,972
Grazing Dist. Sup. Program		
From the Earmarked Rev. Fund		
Grass Conservation Account	14,006	14,649
Conservation Dist. Sup. Program		
From the General Fund	31,038	32,017
Watershed Planning Program		
From the General Fund	65,000	65,000
Rangeland Management Program		
From the General Fund	16,527	17,244
Water Engineering Program		
From the General Fund	444,714	459,849
From the Earmarked Revenue Fund		
Water Resources Account	150,000	155,000
From the Fed. & Private Rev. Fund		
Water Resources Account	350,000	350,000
Water Resources & Planning Program		
From the General Fund	321,110	342,126
From the Fed. & Private Rev. Fund		
Water Resources Account	75,000	75,000
Forest Management Program		
From the General Fund	387,752	395,799
From the Earmarked Revenue Fund		
Timber Stand Improvement Account	80,490	80,490
Forest Nursery Account	43,950	43,950
From the Federal & Private Rev. Fund		
Clark-McNary Account	4,000	4,000
Cooperative Forest Management Account	102,400	102,400
Fire Protection Program		
From the General Fund	611,680	626,504
From the Earmarked Revenue Fund		
Slash & Brush Disposal Account	350,000	350,000
From the Federal & Private Rev. Fund		
Clark-McNary Account	547,627	547,983
Institution Forestry Work Program		
From the General Fund	58,020	60,298
Utility Siting Program		
From the General Fund	140,000	144,000

All moneys collected from filing fees under Section 6(2) of the Montana Utility Siting Act of 1973 and deposited in the general fund, including moneys deposited since the effective date of that Act, are appropriated to the department of natural resources and conservation for carrying out the responsibilities of the department under that act.

The appropriations for the department of natural resources and conservation-water engineering program, includes amounts for capital and/or buildings or other improvements for which the provisions of Section 3, paragraph 4, of this act do not apply.”;

And, as amended, do pass.

BARDANOUE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

March 7, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 be amended on page 5, lines 4 through 7, by striking Section 11 in its entirety and inserting in lieu thereof the following new Section:

"Section 11. In addition to the amounts specifically appropriated by this act, there is hereby appropriated to the Montana university system units all federal funds for existing programs, and those funds related to various supporting facilities and organizations such as auxiliary enterprises and foundations. All other moneys received from all other sources may be made available by an approved budget amendment.";

Further amend on page 5, Section 13, line 19, by striking the figures "[2,020,000 2,030,000]" and inserting in lieu thereof the figures "2,130,000 2,180,000";

Further amend on page 5, Section 13, following line 19, by inserting the new material:

"From General Fund 172,410

This appropriation, or any proportion thereof, shall be expended only if federal land grant funds are not received for the fiscal year ending June 30, 1974. If such federal land grant funds are received this appropriation, or any remaining proportion thereof, shall immediately revert back to the general fund. This appropriation is non-transferable between fiscal years and shall not be subject to the budget amendment provisions of Section 2.";

Further amend on page 5, Section 13, following line 21, by inserting the new material:

"From Earmarked Rev. Fund  
Agri. Exper. Station Acct.

For payment price, plus seven percent (7%) interest, on contract for deed between Milo C. Roberts and Edith Z. Roberts for use and benefit of agricultural experiment station.

9,180 8,704";

Further amend on page 5, Section 13, by striking all the material in lines 22, 23, 24, and inserting in lieu thereof the following:

"BOARD OF EDUCATION

Board Administration Program

From the General Fund

18,750 18,750

BOARD OF REGENTS OF HIGHER EDUCATION

Board Administration Program

From Earmarked Revenue Fund

University Millage

18,750 18,750

Executive Secretary, Office of

Administrative Program

From General Fund

93,663 98,075

Student Assistance Program

From General Fund

For WICHE administration

36,500 36,500

For WICHE student payments

600,000 574,200

For NDEA matching loan funds

25,000 25,000

Higher Education Facilities

From Federal & Private Rev. Funds

Executive Sec. Acct.

70,860 73,320

## Community College Assistance

## From General Fund

Flathead Valley Community College	540,072	588,489
Miles Community College	269,490	293,694
Dawson Community College	271,763	296,992";

Further amend on page 6, Section 13, following line 10, by inserting the new material:

"From General Fund	30,000	30,000
If not matched by federal funds this appropriation shall revert to the general fund at the end of each fiscal year.		
Deaf and Blind Acct.	76,254	76,254";

Further amend on page 6, Section 13, by striking all the material in lines 16 through 19, and inserting in lieu thereof the following new material:

"(1) For the fiscal year ending June 30, 1974:

## Programs

Instruction	2,359,685	
Public Service	3,805	
Academic Support	355,175	
Student Service	192,205	
Institutional Support	1,152,363	
From General Fund		2,519,554
From Earmarked Rev. Fund		
Student Fee Account		770,000
University Millage Account		703,679
From Other Treasury Funds		70,000

(2) For the fiscal year ending June 30, 1975:

## Programs

Instruction	2,253,318	
Public Service	4,000	
Academic Support	360,160	
Student Service	183,545	
Institutional Support	1,190,960	
From General Fund		2,394,106
From Earmarked Revenue Fund		
Student Fee Account		770,000
University Millage Account		747,877
From Other Treasury Funds		80,000";

Further amend on page 6 by striking the Executive Secretary, University System from the bill; lines 20 through 25, page 6, and lines 1 through 12, page 7;

Further amend on page 8, following line 25 (under LIBRARY COMMISSION) by inserting the following new material:

"From General Fund	52,072	47,707
This appropriation shall be expended only if federal moneys are not received. If such federal funds are received this appropriation shall revert to the general fund.";		

Further amend on page 9 by striking all the material in lines 19 through 23 and inserting in lieu thereof the following new material:

"(1) For the fiscal year ending June 30, 1974:

## Programs

Instruction	870,680
Organized Research	486,717
Academic Support	83,351
Student Services	30,052
Institutional Support	515,113

From the General Fund	1,552,882
From Earmarked Revenue Fund	
Student Fee Account	210,000
University Millage Account	183,031
From Other Treasury Funds	40,000
(2) For the fiscal year ending June 30, 1975:	
Programs	
Instruction	854,646
Organized Research	512,611
Academic Support	85,414
Student Services	29,531
Institutional Support	535,569
From General Fund	1,568,224
From Earmarked Revenue Fund	
Student Fees Account	210,000
University Millage Account	194,547
From Other Treasury Funds	45,000";

Further amend on page 9 by striking line 25 and inserting in lieu thereof the following new material:

"(1) For the fiscal year ending June 30, 1974:	
Programs	
Instruction	8,585,831
Organized Research	261,235
Public Service	120,370
Academic Support	1,196,613
Student Service	639,515
Institutional Support	2,576,293
From the General Fund	7,962,134
From the Earmarked Revenue Fund	
Student Fees Account	2,835,000
University Millage Account	2,065,303
From Other Treasury Funds	517,420
(2) For the fiscal year ending June 30, 1975:	
Programs	
Instruction	8,918,297
Organized Research	275,618
Public Service	127,010
Academic Support	1,255,220
Student Services	664,285
Institutional Support	2,710,403
From General Fund	8,398,318
From Earmarked Revenue Fund	
Student Fee Account	2,835,000
University Millage Account	2,195,095
From Other Treasury Funds	522,420";

Further amend on page 10 by striking all the material in lines 1 through 4;

Further amend on page 10 by striking all the material in lines 6 through 10 and inserting in lieu thereof:

"(1) For the fiscal year ending June 30, 1974:	
Programs	
Instruction	8,782,034
Organized Research	173,527
Public Service	97,455
Academic Support	1,662,797
Student Services	475,094
Institutional Support	3,131,835
From General Fund	7,981,109



From Earmarked Revenue Fund		
Student Fees Account		3,560,000
University Millage Account		2,225,518
From Other Treasury Funds		556,115
(2) For the fiscal year ending June 30, 1975:		
Programs		
Instruction	9,105,579	
Organized Research	182,695	
Public Service	102,618	
Academic Support	1,736,275	
Student Services	492,381	
Institutional Support	3,287,675	
From General Fund		8,411,235
From Earmarked Revenue Fund		
Student Fees Account		3,560,000
University Millage Account		2,365,373
From Other Treasury Funds		570,615

## FORESTRY AND CONSERVATION EXPERIMENT STATION

From General Fund	208,605	219,628";
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Further amend on page 10 by striking all the material in lines 19 through 23 and inserting in lieu thereof the following new material:

"(1) For the fiscal year ending June 30, 1974:

Programs		
Instruction	686,048	
Public Service	2,150	
Academic Support	67,045	
Student Services	18,810	
Institutional Support	537,773	
From General Fund		495,046
From Earmarked Rev. Fund		
Student Fees Account		240,000
University Millage Account		251,780
From Other Treasury Funds		25,000

(2) For the fiscal year ending June 30, 1975:

Programs		
Instruction	685,290	
Public Service	2,270	
Academic Support	68,965	
Student Services	18,797	
Institutional Support	561,963	
From General Fund		802,133
From Earmarked Rev. Fund		
Student Fees Account		240,000
University Millage Account		267,652
From Other Treasury Funds		27,500";

Further amend on page 10 by striking line 25 and inserting in lieu thereof the following new material:

"(1) For the fiscal year ending June 30, 1974:

Programs		
Instruction	1,220,500	
Public Service	21,000	
Academic Support	224,000	
Student Services	73,000	
Institutional Support	497,436	
From General Fund		1,370,703
From Earmarked Revenue Fund		
Student Fees Account		285,000
University Millage Account		291,784
From Other Treasury Funds		88,449

## (2) For the fiscal year ending June 30, 1975:

## Programs

Instruction	1,290,500	
Public Service	22,000	
Academic Support	236,000	
Student Services	74,000	
Institutional Support	516,742	
From General Fund		1,455,746
From Earmarked Revenue Fund		
Student Fees Account		285,000
University Millage Account		310,047
From Other Treasury Funds		88,449";

Further amend on page 11 by striking all the material in lines 1 through 4;

Further amend on page 11, line 12, by striking the figures "[2,746,000 2,843,500]" and inserting in lieu thereof the figures "2,566,000 2,658,500";

Further amend on page 11, following line 19, by inserting the following new material:

"From Earmarked Rev. Fund  
Student Fee Acct.  
For Vocational Ed.  
Five Vocational-Technical  
Centers 180,000 185,000";

Further amend on page 11, by striking all the material in lines 17 through 19 and the material in lines 23 through 25;

Further amend on page 12 by striking all the material in lines 1 through 4 and inserting in lieu thereof the following new material:

"Section 14. The provisions set forth in this Section are limitations on the appropriations made in this act. It is the purpose of the legislature in enacting this bill only to appropriate funds and to restrict and limit by its provisions the amount and conditions under which the appropriations can be expended. Except as otherwise provided in this act, the expenditures of appropriations are hereby subject to the following general and specific provisions:

(1) All expenditures of funds appropriated by this act for purpose of travel, transportation, and vacation and sick leave are subject to the provisions of the law expressed in Title 59, R.C.M. 1947, and related regulations issued by the department of administration pursuant to law.

(2) All expenditures of funds appropriated by this act for the purchase of property, materials and supplies are subject to the provisions of law expressed in Title 82, Chapter 10, R.C.M. 1947, and related regulations issued by the department of administration pursuant to law.

(3) All expenditures of funds appropriated by this act shall be made in accordance with the provisions of Section 82-109, R.C.M. 1947, which specifies that expenditures shall be applied against nongeneral fund moneys before general fund moneys.

(4) All moneys collected or received by agencies subject to this act from any source whatsoever, including federal grants for research and operations, shall be deposited in the state treasury pursuant to the provisions of Title 79, R.C.M. 1947, except that the department of administration may, pursuant to Section 79-603, R.C.M. 1947, permit any agency subject to this act to retain in its possession moneys that would otherwise be deposited in the state treasury.

(5) All expenditures of funds appropriated by this act shall be re-

ported and accounted for in accordance with procedures and systems established by the department of administration pursuant to Section 82-110, R.C.M. 1947.

(6) The appropriations to units of the Montana university system are further subject to the following provisions:

(a) Waiver of fees ordinarily collected from students, resulting in a reduction of revenue, are limited to those waivers expressly allowed by law.

(b) All moneys collected as a result of the reimbursement of indirect costs incurred by the units of the university system and those moneys derived from the investment of university funds shall be deposited in the state treasury as reimbursements or revenues, whichever is proper, to the fund which generated the moneys.

(c) Academic contracts issued by the Board of Regents of Higher Education pursuant to Section 75-85-1(11), R.C.M. 1947, and which result in the expenditure of moneys appropriated by this act shall be limited to:

- (1) the presidents of the respective university units;
- (2) those positions which include active teaching responsibilities; and
- (3) those positions which result in tenure as provided for by regulations of the Board of Regents of Higher Education.

Section 15. The board of regents of higher education shall provide for the transfers to the Legislative Audit Revolving Fund Account the following moneys from the appropriations made in Section 13, or other available moneys received from other sources, to finance a legislative audit of the financial affairs and transactions of the Montana university system, including the office of executive secretary, during the 1973-75 biennium.

For the fiscal year ending June 30, 1974	63,750
For the fiscal year ending June 30, 1975	63,750".

And, as amended, do pass.

(Material in brackets denotes cancelled type.)

BARDANOUE, Chairman

Report adopted.

March 7, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 26, respectfully report as follows: That House Resolution No. 26 be adopted.

FLEMING, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 593, respectfully report as follows: That House Bill No. 593 be amended on page 4, Section 2, Subsection (4), lines 5 through 8, by striking all the material contained therein, and

As amended, do pass.

BRAND, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 592, respectfully report as follows: That House Bill No. 592 do pass.

BRAND, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 598, respectfully report as follows: That House Bill No. 598 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

BRAND, Chairman

Report adopted.

March 8, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 599, respectfully report as follows: That House Bill No. 599 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

BRAND, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

House Bill No. 54

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 54, beg leave to report as follows:

That we met this day and considered Senate Committee on Business and Industry amendments dated February 28, 1973 and Senate Committee of the Whole amendments dated March 1, 1973, to House Bill No. 54 and recommend as follows:

That the House accede to all Senate Committee of the Whole Amendments of March 1, 1973 and Senate Committee on Business and Industry amendments of February 28, 1973, and that House Bill No. 54 be concurred in.

For the Senate: LYNCH  
GROFF  
TURNAGE

For the House: R. HARPER  
HALL

Hall moved for the adoption of the conference committee report.

Kvaalen moved, as a substitute motion, that the conference committee report be not adopted.

The substitute motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turman, Turner, Ulmer, Walborn, Warfield. Total 44.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 55.

Paired: Hubing, aye, Yardley, no; Cox, aye, Mr. Speaker, no; Lucas, aye, Fasbender, no; Lockrem, aye, Greely, no.

Excused: None.

Absent or not voting: Nichols. Total 1.



Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Gerke, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker Pro-Tem. Total 60.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 39.

Paired: Yardley, aye, Hubing, no; Gerke, aye, Cox, no; Fasbender, aye, Lucas, no; Greely, aye, Lockrem, no.

Excused: None.

Absent or not voting: Nichols. Total 1.

March 7, 1973

House Bill No. 78

#### JOINT CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 78, beg leave to report as follows:

That we met this day to consider Senate Committee on Fish and Game amendments to House Bill No. 78, dated February 26, 1973, and recommend the following:

That the House accede to the Senate Committee on Fish and Game amendment to Section 1, Subsection 8, page 5, lines 4 and 5 of the original bill, being Section 1, Subsection 8, page 5, lines 13 and 14 of the third reading bill, by deleting the words and figures "[five dollars (\$5)]" and inserting in lieu thereof the words and figures "ten dollars (\$10)", and

That the Senate recede from the Senate Committee on Fish and Game amendment to Section 1, Subsection 11, page 6, line 10, of the original bill, being Section 1, Subsection 11, page 6, line 19 of the third reading bill, by striking the words and figures "[fifty dollars (\$50)]" and inserting in lieu thereof the words and figures "seventy-five dollars (\$75)", and

That the Senate recede from the Senate Committee on Fish and Game amendment to Section 1, Subsection 11, page 6, line 12, of the original bill, being Section 1, Subsection 11, page 6, line 21, of the blue bill, by striking the words and figures "[thirty dollars (\$30)]", and inserting in lieu thereof the words and figures "fifty dollars (\$50)", and

That the Senate recede from the Senate Committee on Fish and Game amendment to Section 1, Subsection 11, page 6, line 14, of the original bill, being Section 1, Subsection 11, page 6, line 23, of the third reading bill, by striking the words and figures "[fifty dollars (\$50)]" and inserting in lieu thereof the words and figures "seventy-five dollars (\$75)", and

That the Senate recede from the Senate Committee on Fish and Game amendment to Section 1, Subsection 11, page 6, line 19, of the original bill, being Section 1, Subsection 11, page 7, line 3, of the third reading bill, by striking the words and figures "[five dollars (\$5)]", and inserting in lieu thereof the words and figures "ten dollars (\$10)", and

That the Senate recede from the Senate Committee on Fish and Game amendment to Section 1, Subsection 11, page 6, line 20, of the original bill, being Section 1, Subsection 11, page 7, line 4, of the third reading bill, by striking the following words and figures "[thirty-five dollars (\$35)]" and inserting in lieu thereof the words and figures "fifty dollars (\$50)", and

That the House accede to the Senate Committee on Fish and Game amendment to Section 3, page 10, line 21, of the original bill, being Section 3, page 11, line 6, of the third reading bill by striking the first word and punctuation "[license-]", and

That the House accede to the Senate Committee on Fish and Game amendment to Section 3, page 10, line 22, of the original bill, being Section 3, page 11, line 7, of the third reading bill, by striking the hyphen "[-]" and inserting a space, and

That the House accede to the Senate Committee on Fish and Game amendment to Section 3, page 10, line 22, of the original bill, being Section 3, page 11, line 7, of the third reading bill, by inserting the following new material after the word "license", "five dollars (\$5) of the fee for the Class B-4 nonresident six (6) day fishing license;", and

That the House accede to the Senate Committee on Fish and Game amendment to Section 3, page 10, line 24, of the original bill, being Section 3, page 11, line 9, of the third reading bill, by striking the first word and punctuation "[license-]", and

That House Bill No. 78 be concurred in as so amended.

For the Senate: BREEDEN  
KEENAN  
JENSEN

For the House: STAIGMILLER  
HUENNEKENS  
FAGG ✓

Staigmiller moved for the adoption of the conference committee report.

Motion carried by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Clemow, Colberg, Cotton, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gundersen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Lee, Lien, Lombardi, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker Pro-Tem. Total 81.

Noes: Provost, Turner. Total 2.

Excused: Cox, Gerke, Hubing, Lockrem, Lucas. Total 5.

Absent or not voting: Aageson, Brand, Brown, Castles, Driscoll, Ellerd, Fasbender, Kendall, Kosena, Lundgren, McKittrick, Nichols. Total 12.,

(Material in brackets denotes cancelled type.)

## MESSAGES FROM THE GOVERNOR

March 7, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana  
Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 63, 100, 103, 113, 115, 116, 129, 130, 134, 163, 164, 180, 190, 218, 219, 229, 235, 239, 245, 252, 267, 315, 362, 364, 484, and

House Joint Resolution No. 9.

Sincerely,

THOMAS L. JUDGE

Governor

cc: Honorable Bill Christiansen

### MESSAGES FROM THE SENATE

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on the Committee of the Whole recommended that further action be indefinitely postponed, report adopted, and the bills are herewith returned to the House.

House Bill No. 281, introduced by Fagg, et al

House Bill No. 359, introduced by Baeth, et al

House Bill No. 462, introduced by Ellerd.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the house.

House Bill No. 196, introduced by Turman, et al

House Bill No. 199, introduced by Lucas, et al

House Bill No. 422, introduced by Shelden

House Bill No. 471, introduced by Lucas and Healy

House Bill No. 534, introduced by Marks, et al

House Bill No. 573, introduced by Bardanouve, et al

House Bill No. 574, introduced by Bardanouve

House Bill No. 581, introduced by Bardanouve and Nichols.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred

in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 118, introduced by Kendall, et al

House Bill No. 394, introduced by Laas and Tierney

House Bill No. 406, introduced by Edland, et al

House Bill No. 442, introduced by Forsgren, et al

House Bill No. 575, introduced by Bardanouve.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 131.

The President appointed the following members:

Senator McKeon, Chairman

Senator Gilfeather

Senator Bennett

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 135.

The President appointed the following members:

Senator Thiessen, Chairman

Senator Shea

Senator Cochrane

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 54.



The President appointed the following members:

Senator Bollinger, Chairman  
Senator Groff  
Senator Turnage

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 149.

The President appointed the following members:

Senator Goodheart, Chairman  
Senator James  
Senator Hazelbaker

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 65.

The President appointed the following members:

Senator McGowan, Chairman  
Senator Flynn  
Senator Story

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 7, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 367.

The President appointed the following members:

Senator Gilfeather, Chairman  
Senator Boylan  
Senator Harrison

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 28, introduced by Quilici, Lynch, Lucas, Ainsworth, Gerke: A Resolution of the House of Representatives of the State of Montana requesting the Legislative Council to study the operations of the Montana Horse Racing Commission, including a comparison of parimutuel racing practices in other states. Referred to Committee on State Administration.

House Resolution No. 29, introduced by Kvaalen, Lucas, Ulmer, Tierney, Selstad, Cox, Glennen, Mercer, Hager, Galt, Lund, Warfield, Lockrem, Schye: A Resolution of the House of Representatives of the State of Montana urging the 43rd Legislative Assembly to address itself during the interim and the Second Session of the Legislative Assembly to analyzing the problem of attracting new industry to the state and the creation of a better business climate within the state. Referred to Committee on Business and Industry.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Tierney in the Chair. Committee arose.

House resumed. Mr. Speaker Pro-Tem in the Chair.

Mr. Speaker Pro-Tem: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 21 be concurred in ( 79-0).

That Senate Amendments to House Bill No. 68 be concurred in (67-13).

That Senate Amendments to House Bill No. 108 be concurred in ( 74-1).

That Senate Amendments to House Bill No. 25 be concurred in ( 74-2).

That Senate Amendments to House Bill No. 69 be concurred in ( 83-0).

That Senate Amendments to House Bill No. 112 be concurred in ( 88-0).

That Senate Amendments to House Bill No. 171 be concurred in ( 84-0).

That Senate Amendments to House Bill No. 279 be concurred in ( 81-1).

That Senate Amendments to House Bill No. 283 be concurred in ( 75-6).

That Senate Amendments to House Bill No. 392 be concurred in ( 70-5).

That Senate Bill No. 175 be concurred in (70-6).

That Senate Bill No. 220 be amended in Section 1 of the amended version approximately one-half way down the green House Amendment sheet, by deleting the description of the proposed commission and inserting in lieu thereof the following description:

"At least one (1) member shall be a breeder of racing horses; one (1) member shall be a member of an independent horse racing association; and one (1) member shall be a member of a county fair board that conducts a fair featuring parimutuel betting; and two (2) members shall have occupations non-related to horseracing." (85-4)

And, as amended, be concurred in (77-15).

That Senate Bill No. 447 be concurred in (70-6).

That Senate Joint Resolution No. 9 be concurred in (76-0).

That Senate Bill No. 443 be concurred in (80-0).

That House Bill No. 590 do pass (78-0).

That House Resolution No. 20 be adopted (74-0).

That House Resolution No. 24 be adopted (74-0).

That Senate Bill No. 18 be concurred in (89-2).

That Senate Bill No. 261 be concurred in (89-2).

That House Bill No. 327 be amended in Section 1, on line 19, page 1 of the introduced and second reading bill, following the word "cement" by inserting the words "for sale or use within the State of Montana", and

Be further amended in Section 1, page 1, line 21, of the introduced and second reading bill, after the word "gypsum" by striking the words "[for sale or use within the State of Montana]", and

Be further amended in Section 1, Subsection 1, page 2, line 9, of the introduced and second reading bill, by striking the words and figures "[four and one-fourth cents (\$.0425)]", and inserting in lieu thereof the words and figures "six and one-half cents (\$.0650)" (46-32)

And, as amended, do not pass (52-36).

That House Bill No. 354 do not pass (59-28).

That Senate Bill No. 363 be concurred in (70-0).

That Senate Bill No. 385 be concurred in (67- 0).

That Senate Bill No. 41 be concurred in (53-23).

That Senate Bill No. 44 be concurred in (71- 0).

That Senate Bill No. 178 be concurred in (65-10).

That the Committee rise and report.

TIERNEY, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 86 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Quilici, Regan, Roberts, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towle, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Burnett, Kvaalen, Marks, Prevost, Rolfe, Schepens, Turner. Total 7.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Colberg, Fasbender, Fleming, Gunderson, Huennekens, Kolstad, Lien, Norman. Total 8.

Senate Bill No. 187 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 84.

Noes: Burnett, East, Marks, Rolfe. Total 4.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Bardanouve, Colberg, Fleming, Flynn, Gunderson, Kolstad, Tierney, Turner, Yardley. Total 9.

Marbut moved to amend Senate Bill No. 345 on page 2, Section 1, referring to the Committee of the Whole Amendments of March 7, 1973 by deleting the words and figures "[one (1) term]" and inserting in lieu thereof the words and figures "two (2) terms".

Motion carried (88-0).

(Material in brackets denotes cancelled type.)

Senate Bill No. 345 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Glennen, Hageman, Hager, Haines, Galt, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnson, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Greely, Lockrem. Total 2.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Colberg, Fleming, Flynn, Forsgren, Gunderson, Kolstad. Total 7.

Senate Bill No. 386 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 80.



Noes: Hager, Hall, Lockrem, Manuel, Marbut, Prevost, Schye, Smith, Turner, Yardley, Zimmer. Total 11.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Colberg, Fleming, Forsgren, Gunderson, Kolstad. Total 6.

Senate Bill No. 393 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Ainsworth, Asbjornson, Burnett, Kolstad. Total 4.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, East, Forsgren, Gunderson. Total 4.

Senate Bill No. 397 was concurred in by the following vote:

Ayes: Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Ainsworth, Asbjornson, Baeth, Barrett, Burnett, East, Flynn, Galt, Haines, Lombardi, Lund, Marbut, Norman, Olson, Quilici, Turman, Walborn. Total 17.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Ellerd, Forsgren, Gunderson, Jones, Kendall, Kessner, Kolstad, Zimmer. Total 9.

Senate Bill No. 403 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Colberg, Ellerd, Forsgren, Gunderson, Halvorson, Kolstad, Nichols, Olson. Total 9.

Senate Bill No. 406 failed by the following vote:

Ayes: Asbjornson, Barrett, Bell, Campbell, Clemow, Fasbender, Fleming, Flynn, Galt, Haines, Hall, Healy, Kvaalen, Lee, Lynch, McKittrick, Mehrens, Menahan, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Staigmiller, Zimmer. Total 29.

Noes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Forsgren, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lombardi, Lund, Lundgren, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Roberts, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Baeth, Gunderson. Total 3.

Senate Bill No. 407 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Hager, Rolfe, Smith. Total 3.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Castles, Fasbender, Gunderson, Kolstad, Kvaalen. Total 6.

Senate Bill No. 427 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Asbjornson, Burnett, Clemow, East, Ellerd, Forsgren, Galt, Hager, Holtz, Jones, Kvaalen, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Smith, Turner, Walborn. Total 22.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Castles, Gunderson, Kolstad, Zimmer. Total 5.

Senate Bill No. 431 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg,

Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett. Total 1.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Gunderson, Kolstad. Total 3.

Senate Amendments to House Bill No. 49 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Barrett, Bell, Brand, Castles, Jones, Lundgren, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn. Total 15.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Ainsworth, East, Ellerd, Galt, Gunderson, H. Harper, Lien. Total 7.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 153 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Asbjornson, Burnett, Galt, Schye, Smith. Total 5.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Aageson, Gunderson, Kolstad, Lien, Mehrens. Total 5.

Walborn moved that House Bill No. 217 be amended in Section 1, Subsection (17), page 10, line 25, following the word and punctuation "dis-



charged;" by inserting the following new material "Provided, however, that 'point source' shall not include concentrations of animals in the conducting of normal livestock raising operations;"

Motion carried (61-28).

Hall moved that House Bill No. 217 be passed for the day.

Motion carried.

House Bill No. 509 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Burnett, Clemow, Jones, Kessner, Seifert, Selstad, Walborn. Total 7.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Forsgren, Galt, Gunderson, Lien, Lundgren, Schye, Smith. Total 7.

Fasbender moved that the Rules be suspended and that the House revert to Order of Business No. 6.

Motion carried.

### MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and that Senate Bill No. 443 be placed on Third Reading this day. Motion carried.

Without objection the House was on Order of Business No. 9.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 443 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Burnett. Total 1.



Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Colberg, Gunderson, Lien, Walborn. Total 4.

### REPORTS OF STANDING COMMITTEES

March 8, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 110, 402, 105, 329, 346 and 548, and House Joint Resolution Nos. 21 and 22.

QUILICI, Chairman

March 7, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 451, respectfully report as follows: That Senate Bill No. 451 be amended on the introduced bill and the third reading bill as follows:

Be amended on page 1, in the title, line 9, after the word "committees;" by adding the following language "Providing for powers and duties of select and standing committees when the legislature is not in session;"

And further amend in the title in line 11, after the word "providing" by striking the words "[a method of determining]" and inserting in lieu thereof the following words "for a priorities committee to determine"

And further amend on page 1, line 22, after the word "advice" by striking the words "[and consent]"

And further amend on page 2, line 2, after the word "senate", by striking the words "[with the advice and consent of the]"

And further amend on page 2, line 3, by striking the following language "[majority and minority leaders of the senate]"

And further amend on page 2, line 13, after the word "council" by inserting the following words and figure, "shall be for two (2) years and"

And further amend on page 2, line 15, after the words "following the" by striking the word "[session]" and inserting in lieu thereof the word "biennium"

And further amend on page 3, line 4, the word "shall", by striking the word "[with]" and inserting in lieu thereof the language "with the concurrence of the priorities committee, assign such question to an appropriate study committee."

And further amend on page 3, by striking the language in its entirety in lines 5 through 25.

And further amend on page 4, by striking line 1 in its entirety

And further amend on page 4, by striking Subsection (4) in its entirety

And further amend on page 4 by striking Subsection (5) in its entirety

And further amend by striking [(6)] and renumbering it to read (4).

And further amend on page 7, line 8, after the word "issued" by inserting the words "by the council"

And further amend on page 7, line 21, after the word "committee," by inserting the following words: "Select and standing committees,"

And further amend on page 7, line 25, after the word "legislative" by striking the word "[standing]"

And further amend on page 9, after the figure (3) by striking all of the language in lines 11, 12 and 13, and inserting in lieu thereof the following language: "The study committee shall elect its chairman and vice-chairman from among its members."

And further amend on page 10, line 18, after the words "and the" by striking the words "[council shall]"

And further amend on lines 19 and 20 by striking the language: "[appoint a member from the same standing committee and of the same party to fill the vacancy.]" and insert in lieu thereof the following language: "Vacancy shall be filled in the same manner as the original appointment. Any other vacancy shall be filled in the same manner."

And further amend on page 10, line 24, after the word "which" by striking the following language in lines 24 and 25: [consists of eight (8) members of the House of Representatives who are appointed by the Speaker of]"

And further amend on page 11, by striking all the language in lines 1 through 6.

And in lieu thereof insert the following language: "Shall be composed of eight (8) members of the House Rules Committee, four (4) of whom shall be of the same political party, and eight (8) members of the Senate Rules Committee, four (4) of whom shall be of the same political party."

And further amend on page 11, lines 7 and 8, by striking "[no later than the fifteenth legislative day of each regular session.]" and inserting in lieu thereof the following language: "At the time as all other standing committees."

And further amend on page 11, line 16, after the word "session" by striking the words "[The council]" and inserting in lieu thereof the word "and."

And further amend on page 11, line 20, by striking in its entirety Subsection (4).

And further amend on page 11, line 22, by striking after Section 10. "[This act is effective on its passage and approval.]" and inserting in lieu thereof "During the interim period between the first and second regular sessions of any legislative assembly of the State of Montana, all regularly appointed standing or acting committees of either house not formally discharged prior to the final adjournment of the first regular or subsequent special sessions shall continue as such committee, and are empowered to continue to sit as such committees as provided herein."

And insert in lieu thereof the new Section 11. "Such standing or select committees shall act only upon bills or resolutions then pending before them. Before the close of the first regular session or any special session of the biennium, the chairman of each committee desiring to act shall designate to the committee on priorities the bills that standing or select committee desires to act upon during the interim. The committee on priorities shall determine whether such standing committee or select committee may act upon the legislation designated, and if the committee on priorities shall determine that the standing or select committee is not to act upon such legislation, it shall so inform the appropriate chairman, and that committee shall not then act upon such legislation. Such decisions of the committee on priorities shall be reported to the respective chairman before the fifty-eighth legislative day of the first regular session, and the chairman of the select or standing committee involved may appeal the decision to the house of which he is a member, and if that house shall overturn the decision of the committee on priorities, the select or standing committee may act during the interim on the legislation in question."

And further amend by inserting in lieu thereof a new Section 12. "At any meeting called pursuant to this act, a standing or select committee is empowered to conduct all business and perform all functions which that committee could conduct or perform were the legislature in session, including but not limited to, the consideration of pending legislation, the drafting of committee bills, amending pending legislation and conducting hearings. A majority of the committee members shall constitute a quorum for the conducting of business and the performance of such functions. Reports of such committees upon such unfinished business shall be filed after the convocation of the second regular session of the legislative assembly."

And further amend by inserting in lieu thereof a new Section 13. "Upon completion of study committee action the chairman of the appropriate select or standing committee may call a meeting of the select or standing committee upon proper notice to the members."

And further amend by inserting in lieu thereof a new Section 14. "This act is effective upon its passage and approval, provided that in the first regular session of the 43rd legislative assembly the time limits referred to in this act shall not apply."

And, as amended, be concurred in.

EDLAND, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### REPORTS OF SELECT COMMITTEES

March 8, 1973

Senate Amendments to House Bill No. 368

#### JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Amendments to House Bill No. 368, dated February 26, 1973, beg leave to report as follows:

That we met this day and considered Senate Committee on Judiciary Amendments to House Bill No. 368, dated February 26, 1973, and recommend as follows:

That the House accedes to all Senate Committee on Judiciary Amendments to House Bill No. 368, dated February 26, 1973, and that House Bill No. 368 be concurred in.

For the Senate: McKEON  
ZODY  
TURNAGE

For the House: HALVORSON  
SCHYE

Halvorson moved for the adoption of the Conference Committee Report and that the Committee be dissolved.

Towe moved, as a substitute motion, that the Conference Committee report be not adopted, and that the Speaker appoint a new Free Conference Committee.

Shelden moved the previous question.

Motion carried.



Substitute motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Yardley, Zimmer. Total 77.

Noes: Galt, Kolstad, Lockrem, Lundgren, Marks, Schye, Ulmer, Watt, Mr. Speaker. Total 9.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Bennetts, Ellerd, Flynn, Gunderson, Halvorson, Laas, Marbut, Nichols, Selstad, Turner, Walborn. Total 11.

March 7, 1973

House Bill No. 131

### JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 131, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and Claims Amendments to House Bill No. 131, and recommend as follows:

That the Senate Committee on Finance and Claims Amendments to House Bill No. 131 be amended as follows:

That all references to the sum of "[one hundred seventy-five dollars (\$175)]" be deleted and the words and figures "one hundred ninety dollars (\$190)" be inserted in lieu thereof, this being in: Section 1, Subsection (d), page 2, line 16; and Section 1, Subsection (d), page 2, lines 20 and 21; and Section 1, Subsection (d), page 2, line 25; and Section 2, page 3, line 18; and Section 3, page 4, line 9.

(Material in brackets denotes cancelled type.)

For the House: LYNCH  
DRISCOLL  
BELL

For the Senate: McKEON  
BENNETT  
GILFEATHER

Lynch moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Conference committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Zimmer, Mr. Speaker. Total 80.



Noes: Burnett, East, Kvaalen, Olson. Total 4.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Bardanouve, Brown, Ellerd, Flynn, Galt, Gunderson, Lien, Lundgren, Marbut, Selstad, Walborn, Warfield, Yardley. Total 13.

March 8, 1973

House Bill No. 272

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President of the Senate and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 272, beg leave to report as follows:

That we met and considered the Senate Committee of the Whole Amendment to House Bill No. 272, and recommend as follows:

That the Senate recede from its amendment to House Bill No. 272 in Section 3, page 4, line 12, on February 20, 1973, and that the following new material be inserted in lieu thereof:

“Existing licenses shall be renewed as a matter of right, unless conditions exist which are grounds for a cancellation or denial of a license.

If determination is made to deny an initial application for a license, or if a renewal application is denied and a license canceled, the denial or cancellation shall be preceded by written notice of the grounds therefor and the opportunity to request a hearing before the board to show cause why the license should be denied.”

And recommend that the same be adopted.

For the House: REGAN  
BAUCUS  
KESSNER

For the Senate: DESCHAMPS  
BOYLAN  
McOMBER

Regan moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Conference committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Discoll, East, Edland, Fagg, Fleming, Forsgren, Glennen, Greeley, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosenka, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer. Total 78.

Noes: None.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Brand, Brown, Burnett, Ellerd, Fasbender, Flynn, Galt, Gunderson, Hall, Jones, Lundgren, Menahan, Nichols, Quilici, Schye, Selstad, Smith, Yardley, Mr. Speaker. Total 19.

March 8, 1973

House Bill No. 135

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 135, beg leave to report as follows:

That we met this day and considered Senate Committee on Local Government amendments to House Bill No. 135 and recommend as follows:

That the Senate recede from its proposed amendments on House Bill No. 135, and the Joint Conference Committee recommends the bill be concurred in without the Senate Amendments.

For the Senate: THIESSEN  
COCHRANE  
SHEA

For the House: KENDALL ✓  
TURMAN ✓  
SHELDEN

Kendall moved for the adoption of the conference committee report and that the committee be dissolved.

Motion carried.

Conference committee report was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Nichols, Norman, Olson, Prevost, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 78.

Noes: East, Hager, Mercer, Rolfe, Ulmer. Total 5.

Excused: Cox, Hubing, Lucas. Total 3.

Absent or not voting: Brand, Brown, Ellerd, Flynn, Galt, Gunderson, Lien, Lundgren, Menahan, Murphy, Quilici, Schye, Selstad, Yardley. Total 14.

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint Conference Committees to meet with like committees from the Senate to confer upon Senate Bills Nos. 127, 128, 129 and 369.

Motion carried.

Fasbender moved that the Speaker appoint Free Conference Committees to meet with like committees from the Senate to confer on Senate Bill No. 383 and House Bill No. 368.

Motion carried.

Fasbender, having voted on the prevailing side, moved that the House recall Senate Bill No. 343 from the Senate.

Motion carried.

Greely, having voted on the prevailing side, in failing to concur on

Senate Bill No. 406 on Third Reading this day, moved that the House reconsider its action.

Motion carried.

The Speaker appointed the following Conference Committees:

Senate Bill No. 127: Menahan, Kimble, H. Harper.

Senate Bill No. 128: McKittrick, Lombardi, Marbut.

Senate Bill No. 129: Baeth, Baucus, Turman.

Senate Bill No. 369: Lee, Norman, Tierney.

The Speaker appointed the following Free Conference Committee:

Senate Bill No. 383: Lombardi, Roberts, Cox.

Fasbender moved that the House adjourn until 1:00 p.m., March 9, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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#### FIFTY-NINTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

March 9, 1973

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal having examined the daily journal for the Fifty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

#### SPECIAL ORDERS OF THE DAY

The Speaker appointed the following committee to escort Congressman Richard Shoup to the Rostrum, where he addressed the assembly: Fasbender, Watt, Kvaalen and Haines. After addressing the assembly on the Federal Highway Trust Fund, the committee escorted him from the Chair.

The Speaker appointed the following committee to escort Lieutenant Commander Rodney Knutson to the Rostrum: Edland, Holmes, Lockrem and Hager.

After expressing to the Assembly how much it meant to him to be home in Montana again after so many years in prison camp as a result of the Viet Nam War and being able to return under an honorable peace, the committee escorted him from the Chambers with a standing ovation from all members and spectators.

## COMMUNICATIONS AND PETITIONS

March 9, 1973

The Speaker appointed the following Interim Committee to serve during the 1973-1974 interim:

Legislative Audit:  
Representative Asbjornson  
Speaker Gerke  
Representative Marbut  
Representative Zimmer

HAROLD E. GERKE  
Speaker

HEG/vlb

March 9, 1973

The Honorable Thomas L. Judge  
Governor of the State of Montana  
Helena, Montana

Dear Governor Judge:

In accordance with House Bill No. 30, Chapter 66, Laws of 1973, with regard to appointment to the Montana Salary Commission.

I have this day appointed Robert E. Saunders, 410 Silver Lane, Billings, Montana.

His appointment will be effective March 10, 1973.

Sincerely

HAROLD E. GERKE  
Speaker

HEG/vlb

cc: Lt. Governor Bill Christiansen

Honorable James T. Harrison, Chief Justice Supreme Court  
Senate Majority Leader Senator Neil Lynch  
House Majority Leader Representative Larry Fasbender  
House Minority Leader Representative Oscar Kvaalen

## REPORTS OF STANDING COMMITTEES

March 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 455, 249, 143, 246 and 61.

FLEMING, Vice-Chairman

March 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 57 and 592 and House Resolutions Nos. 25 and 26.

FLEMING, Vice-Chairman

March 7, 1973

I have examined House Bill No. 543 introduced by me and find the same to be correct.

ULMER



March 7, 1973

I have examined House Bill No. 420 introduced by me and find the same to be correct.

TIERNEY

March 7, 1973

I have examined House Bill No. 404 introduced by me and find the same to be correct.

DRISCOLL

March 7, 1973

I have examined House Bill No. 352 introduced by me and find the same to be correct.

HALL

March 7, 1973

I have examined House Bill No. 296 introduced by me and find the same to be correct.

McKITTRICK

March 7, 1973

I have examined House Bill No. 277 introduced by me and find the same to be correct.

TOWE

March 7, 1973

I have examined House Bill No. 238 introduced by me and find the same to be correct.

COLBERG

March 7, 1973

I have examined House Bill No. 204 introduced by me and find the same to be correct.

McKITTRICK

March 7, 1973

I have examined House Bill No. 167 introduced by me and find the same to be correct.

REGAN

March 7, 1973

I have examined House Bill No. 144 introduced by me and find the same to be correct.

LYNCH

March 7, 1973

I have examined House Bill No. 126 introduced by me and find the same to be correct.

KVAALEN

March 8, 1973

I have examined House Bill No. 110 introduced by me and find the same to be correct.

QUILICI

March 7, 1973

I have examined House Bill No. 99 introduced by me and find the same to be correct.

ULMER

March 6, 1973

I have examined House Bill No. 60 introduced by me and find the same to be correct.

LYNCH

March 6, 1973

I have examined House Bill No. 18 introduced by me and find the same to be correct.

SHELDEN

March 5, 1973

I have examined House Bill No. 5 introduced by me and find the same to be correct.

GERKE

The Speaker signed in open session House Bills Nos. 543, 420, 404, 352, 296, 277, 238, 204, 167, 144, 126, 110, 99, 60, 18 and 5, Senate Bills Nos. 131, 139, 104, 349, 5, 106, 60, 12, 83, 147, 235, 290, 304, 309, 341, 356, 365, 370, 408, 437, 445 and Senate Joint Resolution No. 35.

March 9, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 597, respectfully report as follows: That House Bill No. 597 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

BARDANOUE, Chairman

Report adopted.

March 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 29, respectfully report as follows: That House Resolution No. 29 be adopted.

MEHRENS, Chairman

Report adopted.

March 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 27, respectfully report as follows: That House Resolution No. 27 be adopted.

MEHRENS, Chairman

Report adopted.

March 9, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 412, respectfully report as follows: That Senate Bill No. 412 be not concurred in.

MEHRENS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Fagg, Fleming, Flynn, Forsgren, Galt, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker.

Total 82.

Noes: None.

Excused: None.

Absent or not voting: Cotton, Cox, Edland, Ellerd, Fasbender, Glennen, Greely, Gunderson, Hall, Kimble, Kvaalen, Lucas, Lundgren, Lynch, Menahan, Schye, Selstad, Yardley. Total 18.

#### MESSAGES FROM THE GOVERNOR

March 8, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 183, 191, 261, 263, 271, 312, 374, 400, 408, 431, 434, 472, 491, and

House Joint Resolution No. 10.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

#### MESSAGES FROM THE SENATE

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 33 was this day on Committee Report recommended that the bill be not concurred in, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate  
March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 46 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on House Bill No. 54 was, this day, adopted on roll call and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 78 was this day adopted on roll call and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended by Committee Reports that the bills be not concurred in, report adopted, and the bills are herewith returned to the House.

House Bill No. 109, introduced by Gunderson, Regan and Cox

House Bill No. 342, introduced by Fagg

House Bill No. 409, introduced by Schye, et al

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith transmitted to the House for concurrence in Senate amendments.

House Bill No. 128, introduced by Yardley

House Bill No. 205, introduced by Johnston, et al

House Bill No. 214, introduced by McKittrick, et al

House Bill No. 256, introduced by Yardley

House Bill No. 265, introduced by Jacobsen, et al

House Bill No. 357, introduced by Lee, et al

House Bill No. 372, introduced by Bennetts, et al

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 15, introduced by Shelden, Lucas (by request)

House Bill No. 16, introduced by Shelden, Lucas (by request)

House Bill No. 17, introduced by Shelden, Lucas (by request)



Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee of the Whole recommended that further action be indefinitely postponed, report adopted, and the bills are herewith returned to the House.

House Bill No. 490, introduced by Lynch, et al

House Bill No. 562, introduced by Huennekens

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 396, introduced by Deschamps, et al, was this day read three several times, and passed, title and history agreed to, and the bill is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 8, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 286, introduced by Huennekens, et al

House Bill No. 314, introduced by Ulmer, Tierney, Fasbender

House Bill No. 358, introduced by Lynch, McKittrick, Lee

House Bill No. 375, introduced by Fasbender

House Bill No. 407, introduced by Swanberg, et al

House Bill No. 444, introduced by Swanberg, McKittrick, Lynch

House Bill No. 488, introduced by Brand, et al

House Joint Resolution No. 31, introduced by Bardanouve, Kosena, Menahan.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Tierney, having voted on the prevailing side in action taken on House

Bill No. 327 at the previous sitting, moved that the House reconsider its action.

Motion failed.

Bradley moved that House Bill No. 492 be taken from Third Reading and be rereferred to Committee on Judiciary.

Lucas moved the previous question.

Motion carried.

Lockrem requested a roll call vote with the Ayes and Nays spread upon the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Fagg, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, McKittrick, Marbut, Mehrens, Murphy, Norman, Prevost, Regan, Roberts, Shelden, Stoltz, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 38.

Noes: Ageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Zimmer. Total 61.

Excused: None.

Paired: Hall, aye; Swanberg, no.

Absent or not voting: Cotton. Total 1.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 30, introduced by Kendall, Roberts, Healy, Baeth, Lee, Menahan, Kessner, Bradley, Shelden, Lynch, Lombardi, Quilici, Flynn, Kosena, Mehrens, Gunderson, Hodges, Baucus, Kimble, Colberg: A resolution of the House of Representatives of the State of Montana requesting the Secretary of the Department of Housing and Urban Development to reinstate letters of feasibility to permit completion of section 236 senior citizens' apartment projects. Referred to Committee on Local Government.

House Resolution No. 31, introduced by Brand, Yardley, Haines, Lee, Lynch, Lombardi, Warfield, Turman, Ainsworth, Marbut, Watt, East, Bennetts, Ulmer, Kimble, Baucus, Roberts, Kendall, Baeth, Shelden, Quilici, Healy, Kosena, Menahan: A resolution of the House of Representatives of the State of Montana urging the institution of daily Amtrak service on the southern route in Montana. Referred to Committee on Highways and Transportation.

House Resolution No. 32, introduced by Driscoll, Roberts, Mehrens, Marbut: A resolution of the House of Representatives of the State of Montana requesting the President of the United States and the Administrator of social and rehabilitative services of the Department of Health, Education and Welfare to reconsider the new regulations governing assistance to mentally retarded persons. Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 33, introduced by Baeth, Shelden, Roberts, Kendall: A resolution of the House of Representatives of the State of Montana to the Montana Fish and Game Commission, to the Honorable Thomas L. Judge, Governor of the State of Montana, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the State of Montana, to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, to the United States Corps of Army Engineers and to the United States Forest Service urging the immediate construction and operation of a fish hatchery in Lincoln County, Montana. Referred to Committee on Fish and Game.

House Bill No. 600, introduced by Fasbender, Marbut, Lund, Bardanouve: A bill for an act entitled: "An act for revision of the laws relating to the Department of Natural Resources." Referred to Committee on Natural Resources.

House Bill No. 601, introduced by Hall: A bill for an act entitled: "An act to transfer certain functions of the Board of Livestock and Department of Livestock, to the Department of Health and Environmental Sciences, and repealing sections 82A-1302 and 82A-1304, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 602, introduced by Galt, Kvaalen, Kendall, Roberts, Yardley, Schepens, Prevost, Hubing, Brand: A bill for an act entitled: "An act to create a law enforcement fund within the county budget system of fifth, sixth and seventh class counties and to provide a revenue source for the fund." Referred to Committee on Local Government.

House Bill No. 603, introduced by Tierney: A bill for an act entitled: "An act to be known as 'The Election Reform Act of 1974'; to encourage wider citizen participation in the elective process, to eliminate the petition process required of independent and third party candidates; to amend sections 23-3304, 23-3318, and 23-3320, R.C.M. 1947; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 396, introduced by Deschamps, Flynn, Broeder, Moritz: A bill for an act entitled: "An act amending the Montana Agriculture Act, title 82, chapter 8, R.C.M. 1947; amending sections 82-805, 82-806, 82-807, 82-808, 82-809, 82-811 and 82-814, R.C.M. 1947." Referred to Committee on Agriculture, Livestock, and Irrigation.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Burnett moved to amend House Bill No. 217 in Section 1, subsection (19), page 11, line 7 of the Third Reading Bill, after the word "available" insert the word "practicable".

Motion failed (35-54).

Burnett moved to further amend House Bill No. 217 in Section 6, page 21, beginning on line 1 by deleting line 1 through 3 in its entirety and inserting in lieu thereof the following new material "general fund of the county in which the offense was committed."

Motion carried (48-47).

House Bill No. 217 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund,



Lundgren, McKittrick, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley. Total 63.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Brand, Burnett, Campbell, East, Ellerd, Fagg, Galt, Hager, Haines, Hall, Healy, Holtz, Hubing, Kosena, Lee, Lombardi, Marks, Mehrens, Olson, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Smith, Staigmillar, Turner, Walborn, Zimmer, Mr. Speaker. Total 35.

Excused: None

Absent or not voting: Cotton, Lynch. Total 2.

House Bill No. 531 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 78.

Noes: Aageson, Ainsworth, Barrett, Burnett, Clemow, Cox, Halvorson, Holtz, Jones, Kolstad, Lockrem, Lucas, Lundgren, Marks, Nichols, Selstad, Smith, Tierney, Ulmer, Yardley. Total 20.

Excused: None

Absent or not voting: Brown, Cotton. Total 2.

House Bill No. 582 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 99.

Noes: None.

Excused: None

Absent or not voting: Cotton. Total 1.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 18 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager,



Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Burnett, Lockrem, Smith, Walborn. Total 4.

Excused: None

Absent or not voting: Cotton. Total 1.

Senate Bill No. 41 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Johnston, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Regan, Rolfe, Schepens, Schye, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Mr. Speaker. Total 67.

Noes: Ainsworth, Cox, Fasbender, Greely, Hager, Hall, H. Harper, Jacobsen, Jones, Kendall, Kvaalen, Lee, Lockrem, Mehrens, Menahan, Olson, Prevost, Roberts, Seifert, Shelden, Smith, Tierney, Turman, Walborn, Warfield, Yardley. Total 26.

Excused: None

Absent or not voting: Bennetts, Holmes, Huennekens, Nichols, Quilici, Watt, Zimmer. Total 7.

Senate Bill No. 44 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 91.

Noes: Hall, Lien, Marks, Yardley. Total 4.

Excused: None

Absent or not voting: Bennetts, Cotton, Jacobsen, Kimble, Kosena. Total 5.

Senate Bill No. 175 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Marbut, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts,

Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Zimmerman, Mr. Speaker. Total 77.

Noes: Driscoll, Fleming, Glennen, Gunderson, Hall, R. Harper, Hodges, Holmes, Lockrem, McKittrick, Manuel, Mehrens, Menahan, Mercer, Stephens, Stoltz, Yardley. Total 17.

Excused: None

Absent or not voting: Bennetts, Castles, Cotton, Kimble, Marks, Turner. Total 6.

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Aagèsen, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Brown, Burnett, Fagg, Glennen, Gunderson, H. Harper, Lien, Lockrem, Lundgren, Mercer, Rolfe, Selstad, Smith, Turner, Walborn. Total 15.

Excused: None

Absent or not voting: Bennetts, Castles, Cotton, Kimble. Total 4.

Senate Bill No. 220 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Holmes, Hubing, Huennekens, Jacobsen, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Watt, Yardley, Zimmer. Total 77.

Noes: Asbjornson, Cox, Driscoll, Galt, Glennen, Healy, Hodges, Holtz, Johnston, Jones, Kendall, Kessner, Lockrem, Manuel, Nichols, Selstad, Stephens, Walborn, Warfield, Mr. Speaker. Total 20.

Excused: None

Absent or not voting: Castles, Cotton, Turman. Total 3.

Senate Bill No. 261 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz,

Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Barrett, Forsgren, Rolfe. Total 3.

Excused: None

Absent or not voting: Castles, Cotton. Total 2.

Senate Bill No. 363 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 92.

Noes: H. Harper, Staigmiller, Turman. Total 3.

Excused: None

Absent or not voting: Bennetts, Cotton, Fasbender, Hall, Yardley. Total 5.

Senate Bill No. 385 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: Marks. Total 1.

Excused: None

Absent or not voting: Cotton. Total 1.

Senate Bill No. 447 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.



Noes: Marks. Total 1.

Excused: None

Absent or not voting: Colberg, Cotton, Olson. Total 3.

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Cox, Ellerd. Total 2.

Excused: None

Absent or not voting: Cotton, Galt, Schye, Selstad. Total 4.

Towe moved that the House postpone action on House Bill No. 492 until the last day of the session.

Motion failed.

### THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 492 failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Fasbender, Greely, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Jacobsen, Kendall, Kimble, Kosena, McKittrick, Marbut, Mehrens, Murphy, Norman, Prevost, Regan, Roberts, Stoltz, Towe, Turman, Watt, Mr. Speaker. Total 35.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Healy, Holtz, Hubing, Huennekens, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer. Total 62.

Excused: None

Absent or not voting: Cotton, Fleming, Shelden. Total 3.

### THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Towe moved to amend Senate Bill No. 406 by deleting in Section 2 all the material inserted by the House Committee.

Motion failed. (40-54).



Senate Bill No. 406 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Campbell, Castles, Clemow, Cox, East, Edland, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Hall, Halvorson, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Smith, Staigmiller, Stoltz, Walborn, Yardley, Zimmer. Total 59.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Brown, Colberg, Driscoll, Fagg, Greely, Gunderson, Hageman, H. Harper, Hodges, Holmes, Holtz, Huennekens, Kendall, Kvaalen, Lockrem, Lucas, Marbut, Murphy, Roberts, Selstad, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 33.

Excused: None

Absent or not voting: Burnett, Cotton, Ellerd, Haines, Lundgren, Schye, Shelden, Turner. Total 8.

Senate Amendments to House Bill No. 21 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, East, Edland, Ellerd, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: None

Absent or not voting: Bardanouve, Castles, Colberg, Cotton, Driscoll, Glennen, Hall, Lund, Manuel, Murphy, Schye, Shelden, Stephens. Total 13.

Senate Amendments to House Bill No. 25 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Driscoll, East, Ellerd, Fagg, Fاسبender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: None

Absent or not voting: Bardanouve, Castles, Colberg, Cotton, Edland, Fleming, Holmes, Lockrem, Manuel, Murphy, Schye, Shelden, Stephens, Total 13.

Senate Amendments to House Bill No. 68 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 74.

Noes: Barrett, Burnett, Clemow, Hager, Holtz, Kessner, Marks, Mercer, Olson, Seifert, Selstad, Smith, Walborn. Total 13.

Excused: None

Absent or not voting: Bardanouve, Castles, Colberg, Cotton, Ellerd, Fleming, Holmes, Lockrem, Murphy, Schye, Shelden, Stephens, Yardley. Total 13.

Senate Amendments to House Bill No. 69 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Clemow, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 71.

Noes: Cox. Total 1.

Excused: None

Absent or not voting: Baeth, Bardanouve, Bell, Bennetts, Castles, Colberg, Cotton, Gunderson, Hall, Hubing, Jacobsen, Kimble, Laas, Lockrem, Lundgren, Marks, Murphy, Nichols, Olson, Roberts, Schye, Shelden, Smith, Stephens, Watt, Yardley, Zimmer. Total 28.

Senate Amendments to House Bill No. 108 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bell, Cox, Hager, Holtz, Lucas. Total 5.

Excused: None

Absent or not voting: Bardanouve, Castles, Colberg, Cotton, Holmes, Lockrem, Schye, Shelden, Stephens, Swanberg. Total 10.

Senate Amendments to House Bill No. 112 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Johnston, Kosena, Lund, Manuel, Nichols, Walborn. Total 6.

Excused: None

Absent or not voting: Bardanouve, Burnett, Castles, Colberg, Cotton, Lockrem, Murphy, Schye, Shelden, Stephens. Total 10.

Senate Amendments to House Bill No. 171 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Warfield. Total 1.

Excused: None

Absent or not voting: Bardanouve, Colberg, Cotton, Holmes, Laas, Lockrem, Murphy, Norman, Schye, Shelden, Stephens. Total 11.

Senate Amendments to House Bill No. 279 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turner, Warfield, Watt, Zimmer, Mr. Speaker. Total 79.

Noes: Hall, H. Harper, Hodges, Lynch, Menahan, Roberts, Smith, Turman, Walborn, Yardley. Total 10.

Excused: None

Absent or not voting: Bardanouve, Bell, Cotton, Ellerd, Haines, Hubing, Lucas, Schye, Shelden, Stephens, Ulmer. Total 11.



Senate Amendments to House Bill No. 283 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Barrett, Forsgren, Haines, H. Harper, Hubing, Marks, Rolfe, Warfield, Total 8.

Excused: None

Absent or not voting: Bardanouve, Burnett, Castles, Cotton, Ellerd, Greely, Holmes, Schye, Shelden, Stephens, Watt. Total 11.

Senate Amendments to House Bill No. 392 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Barrett, Holmes, Marks, Mehrens. Total 4.

Excused: None.

Absent or not voting: Bardanouve, Cotton, Ellerd, Greely, Hall, McKittrick, Prevost, Schye, Shelden, Stephens, Total 10.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the House Committee on State Administration Amendments to Senate Bill No. 300 be amended on the last line of the page 1 amendments dated March 6, 1973, after the word "properties" by inserting the following new material: " , provided no such permit shall be granted unless the department is satisfied that the applicant or applicants possess the necessary qualifications to guarantee the proper excavation of those sites and objects which may add substantially to man's knowledge about Montana and its antiquities." (61-0)

And as amended, that Senate Bill No. 300 be concurred in (58-17).



That Senate Bill No. 373 be amended in Section 1, page 1, line 17 of the Third Reading Bill, following the number "11-1024" by inserting the new material, "and a member, officer, or employee of the legislative branch of state government", (67-2)

And be further amended in Section 2, page 1, line 23, following the word "executive" by deleting the word "[branch]" and inserting in lieu thereof the new material "and legislative branches", (66-0)

And be further amended on page 2, Section 3, line 11, following the word "government" by inserting the new material, "and the members, officers, and employees of the legislative branch of state government", (61-0)

And be further amended on page 2, section 4, line 23, following the word "executive" by deleting the word "[branch]" and inserting in lieu thereof the words "and legislative branches", (63-1)

And as amended, be concurred in (78-0).

(Material in brackets denotes cancelled type.)

That Senate Bill No. 381 be concurred in (64-0).

That Senate Bill No. 411 be concurred in (85-2).

That Senate Bill No. 446 be amended in section 6, subsection 3, page 10, line 10 of the Third Reading Blue Bill by deleting the punctuation ",", and inserting in lieu thereof the punctuation ".,",

And further amend on line 12 by deleting the punctuation ".,", (75-0)

And as amended, be concurred in (68-22).

That all Senate bills be moved below Senate Bill No. 451.

That Senate Bill No. 451 be concurred in (73-18).

That the Committee rise and report.

KENDALL, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and that Senate Bill No. 451 be placed on Third Reading this day.

Motion carried.

Lynch, having voted on the prevailing side in failing to pass House Bill No. 492 on Third Reading this day, moved that the House reconsider its action.

Motion failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Fasbender, Greely, Hageman, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, McKittrick, Marbut, Mehrens, Murphy, Norman, Regan, Roberts, Stoltz, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 37.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Menahan, Mercer, Nichols, Olson, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield. Total 58.

Paired: Colberg, aye; Mercer, no; Huennekens, aye; Schye, no.

Excused: None.

Absent or not voting: Cotton, Fagg, Prevost, Shelden, Zimmer. Total 5.

### THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 451 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greeley, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Aageson, Asbjornson, Barrett, Cox, Galt, Glennen, Hager, Jones, Kosena, Lundgren, Lynch, Tierney. Total 12.

Excused: None.

Absent or not voting: Bardanouve, Cotton, Mercer, Prevost, Schye, Shelden, Zimmer. Total 7.

### REPORTS OF SELECT COMMITTEES

#### House Bill No. 65

#### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 65, beg leave to report as follows:

That we met this day and considered Senate Committee on Natural Resources amendments to House Bill No. 65, dated January 30, 1973, and recommend as follows:

That the House concur in Senate amendments to House Bill No. 65, except that in the last paragraph of the Senate amendments delete the word "and" inserted by said Senate amendments.

And that House Bill No. 65 (blue copy) be amended on page 3, line 25, by deleting the words "paid to the credit of the appropriate water fund"

And that House Bill No. 65 do pass, as amended.

For the Senate: McGOWAN  
FLYNN  
STORY

For the House: KOSENA  
McKITTRICK  
ASBJORNSON

Kosena moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Fasbender, Flynn, Forsgren, Galt, Glennen,

Greely, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: None.

Absent or not voting: Brown, Cotton, Edland, Ellerd, Fagg, Fleming, Gunderson, Hageman, Halvorsen, Lien, Lucas, Lund, Lundgren, Mercer, Schye, Shelden, Zimmer. Total 17.

March 9, 1973

House Bill No. 149

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 149, beg leave to report as follows:

That we met this day and considered Senate Committee on Local Government amendment to House Bill No. 149 and respectfully report and recommend as follows:

That the Senate recede from its amendment to House Bill No. 149, and the Conference Committee recommends that the bill be concurred in without the Senate Amendment.

For the Senate: GOODHEART  
JAMES  
HAZELBAKER

For the House: KENDALL -  
LEE -  
JONES -

Kendall moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: None.

Absent or not voting: Colberg, Cotton, Ellerd, Fagg, Galt, Hageman, Huennekens, Jones, Lundgren, Mercer, Schye, Shelden, Walborn, Zimmer. Total 14.

## MESSAGES FROM THE SENATE

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did accede to the request of the House and is herewith returning Senate Bill No. 343 for further consideration.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

## UNFINISHED BUSINESS

March 9, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 349, 549, 85 and 142, and House Joint Resolution No. 5.

QUILICI, Chairman

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 369: Laas, Chairman; Healy, Selstad.

Fasbender moved that the House adjourn until 10:30 a.m., March 1, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SIXTIETH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 10, 1973

House convened pursuant to adjournment at 10:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members present except Cotton, East, Schye, Shelden, Walborn, Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 593 and 55 and House Resolution Nos. 27 and 29.

FLEMING, Vice-Chairman



March 10, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 5, 18, 60, 99, 110, 126, 144, 167, 204, 238, 277, 296, 352, 404, 420, and 543, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 9:30 a.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 199.

FLEMING, Vice-Chairman

March 9, 1973

I have examined House Joint Resolution No. 5 introduced by me and find the same to be correct.

KOSENA

March 8, 1973

I have examined House Joint Resolution No. 14 introduced by me and find the same to be correct.

TURMAN

March 8, 1973

I have examined House Joint Resolution No. 21 introduced by me and find the same to be correct.

COX

March 8, 1973

I have examined House Joint Resolution No. 22 introduced by me and find the same to be correct.

BARDANOUE

March 8, 1973

I have examined House Bill No. 13 introduced by me and find the same to be correct.

SHELDEN

March 9, 1973

I have examined House Bill No. 61 introduced by me and find the same to be correct.

McKITTRICK

March 8, 1973

I have examined House Bill No. 84 introduced by me and find the same to be correct.

LOCKREM

March 9, 1973

I have examined House Bill No. 85 introduced by me and find the same to be correct.

LOCKREM

March 8, 1973

I have examined House Bill No. 105 introduced by me and find the same to be correct.

COX

March 9, 1973

I have examined House Bill No. 142 introduced by me and find the same to be correct.

FASBENDER

March 9, 1973

I have examined House Bill No. 143 introduced by me and find the same to be correct.

HARPER, R.

March 8, 1973

I have examined House Bill No. 168 introduced by me and find the same to be correct.

EDLAND

March 8, 1973

I have examined House Bill No. 226 introduced by me and find the same to be correct.

HALL

March 9, 1973

I have examined House Bill No. 246 introduced by me and find the same to be correct.

BRAND

March 9, 1973

I have examined House Bill No. 249 introduced by me and find the same to be correct.

FAGG

March 8, 1973

I have examined House Bill No. 329 introduced by me and find the same to be correct.

LAAS

March 8, 1973

I have examined House Bill No. 346 introduced by me and find the same to be correct.

HALL

March 8, 1973

I have examined House Bill No. 365 introduced by me and find the same to be correct.

NORMAN

March 8, 1973

I have examined House Bill No. 402 introduced by me and find the same to be correct.

GREELY

March 8, 1973

I have examined House Bill No. 427 introduced by me and find the same to be correct.

ZIMMER

March 9, 1973

I have examined House Bill No. 455 introduced by me and find the same to be correct.

GERKE

March 8, 1973

I have examined House Bill No. 548 introduced by me and find the same to be correct.

BARDANOUE

March 9, 1973

I have examined House Bill No. 549 introduced by me and find the same to be correct.

MENAHAN

The Speaker signed in open session House Joint Resolutions Nos. 5, 14, 21, 22 and House Bills Nos. 13, 61, 84, 85, 105, 142, 143, 168, 226, 246, 249, 329, 346, 365, 402, 427, 455, 548 and 549.

March 10, 1973

Mr. Speaker: We, your Committee on Legislative Administration report the following staff changes:

The following are terminated as of March 10, 1973: Pat Diehl, Journal Typist; Bonnie Taylor, Bills Coordinator; Connie Laudon, Stenographer; Miriam Stock, Stenographer; Diana Meyer, Stenographer; Susan French, Typist; Emelia Satre, Committee Secretary; Judy Mook, Committee Secretary; Debbie Jakovac, Committee Secretary; Dan Sullivan, Proofreader.

The following attaches are on call (as of March 10, 1973): Vicki Kroll, Stenographer; Bonnie Betson, Typist; and Susan Hansen, Typist.

Sheila McDonald will be Bills Coordinator as of March 10, 1973.

EDLAND, Chairman

Report adopted.

March 10, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do not pass.

GUNDERSON, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, Edland, Fasbender, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, McKittrick, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Cox, Glennen, Tierney. Total 3.

Absent or not voting: Aageson, Bardanouve, Barrett, Baucus, Burnett, Ellerd, Fagg, Flynn, Kolstad, Lund, Lundgren, Lynch, Menahan, Norman, Roberts, Rolfe, Selstad, Shelden. Total 18.

March 10, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do not pass.

GUNDERSON, Chairman

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts,

Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Hageman, Haines, Hall, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Lee, Lien, Lombardi, Lucas, McKittrick, Manuel, Marbut, Mehrens, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Mr. Speaker. Total 61.

Noes: Bell, Cox, Forsgren, Glennen, Hager, H. Harper, Hubing, Kvaalen, Laas, Lockrem, Marks, Mercer, Tierney, Ulmer, Warfield. Total 15.

Excused: Cotton, East, Schye, Walborn, Zimmer. Total 5.

Absent or not voting: Aageson, Barrett, Ellerd, Fagg, Flynn, Galt, Halvorson, Holmes, Kolstad, Lund, Lundgren, Lynch, Menahan, Norman, Rolfe, Selstad, Shelden, Watt, Yardley. Total 19.

March 10, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 28, respectfully report as follows: That House Resolution No. 28 be adopted.

BRAND, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 9, 1973

Senate Bill No. 369

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 369, beg leave to report as follows:

That we met this day and considered House Committee on Highways amendment to Senate Bill No. 369 and respectfully report and recommend as follows:

That the House recede from its amendment to Senate Bill No. 369 and the Conference Committee recommends that the bill be concurred in without the House Amendment.

For the House: LAAS, Chairman	For the Senate: TURNAGE, Chairman:
HEALY ✓	LYNCH
SELSTAD ✓	BENNETT

Laas moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cox, Driscoll, Fasbender, Fleming, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Glennen, Lien. Total 2.



Excused: Cotton, East, Schye, Walborn, Zimmer. Total 5.

Absent or not voting: Aageson, Brown, Burnett, Cambell, Edland, Ellerd, Fagg, Flynn, Forsgren, Johnston, Kolstad, Kvaalen, Lund, Lundgren, Lynch, Roberts, Rolfe, Selstad, Shelden, Stoltz, Ulmer. Total 21.

### MESSAGES FROM THE SENATE

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 211.

The President appointed the following members:

Senator Vainio, Chairman  
Senator Sorenson  
Senator Himsel

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 368.

The President appointed the following members:

Senator McGowan, Chairman  
Senator Sorenson  
Senator Moore

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 135, was this day adopted on roll call and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 65, was this day adopted on roll call and the committee has been dissolved.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did not adopt the Joint Conference Committee Report on House Bill No. 131 and the President was authorized to appoint a new Conference Committee to meet with a like Committee from the House on said House Bill.

The President appointed the following members:

Senator McDonald, Chairman  
Senator Boylan  
Senator McNamer

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 1 introduced by Bardanouve, was this date read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 50, introduced by Swanberg and East

House Bill No. 140, introduced by Brand and Lund

House Bill No. 260, introduced by Cotton

House Bill No. 309, introduced by Warfield

House Bill No. 363, introduced by Gunderson, et al.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that following House Bills and House Joint Resolution were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 335, introduced by Aageson, et al

House Bill No. 441, introduced by Lee, by request

House Bill No. 456, introduced by Lee, by request

House Bill No. 480, introduced by Regan

House Joint Resolution No. 18, introduced by Towe, Huennekens & Norman.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 9, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that following House Bills were this day recommended on Committee Report that the bills be not concurred in, report adopted, and the bills are herewith returned to the House.

House Bill No. 176, introduced by Brand

House Bill No. 544, introduced by Greely.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Tierney moved that Senate Bill No. 42 be taken from Committee on Finance and Claims and be placed on Second Reading.

Motion failed.

Fasbender moved that a Conference Committee be appointed by the Speaker to meet with a like committee from the Senate to confer upon House Bill No. 46.

Motion carried.

Fasbender moved that a Conference Committee be appointed by the Speaker to meet with a like committee from the Senate to confer upon Senate Bill No. 182.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

House Bill No. 604, introduced by Prevost, Galt, Schepens, Lien, Olson, Holtz, Turman, Glennen, Manuel, Fasbender, Roberts, Murphy, Kvaalen, Nichols, Baucus, Huennekens, Staigmiller, Edland, Ainsworth, Smith, Marbut: A bill for an act entitled: "An act providing for a landowner preference system concerning antelope hunting licenses." Referred to Committee on Fish and Game.

House Resolution No. 34, introduced by Cox, Kvaalen, Marks, Mercer, Hager, Glennen, Ainsworth, Lien, Laas, Lucas, Lundgren, Quilici, Manuel, Kosena, Jacobsen, Lockrem, Barrett, Galt, Warfield, Haines, Rolfe, Burnett, Ellerd, Forsgren, Asbjornson, Nichols: A Resolution of the House of Representatives of the State of Montana declaring independent businessmen and Montana taxpayers to be among the endangered species of the State. Referred to Committee on Rules.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 26 do not pass (57-31).

That Senate Bill No. 212 be concurred in (78-0).

That Senate Bill No. 303 be concurred in (70-0).

That Senate Bill No. 377 be concurred in (69-0).

That Senate Bill No. 444 be concurred in (84-10).

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

### UNFINISHED BUSINESS

The Speaker appointed the following committees:

Environmental Quality Council for the 1973-1974 interim: Fasbender, Bradley, Ainsworth, Hager.

Free Conference Committee on House Bill No. 368: Yardley, Chairman; Towe, Schye.

In compliance with Senate Joint Resolution No. 18—Select Committee on Gambling: Hall, Lee, Lien, Brown, Ulmer.

In accordance with House Bill No. 29 in compliance with Article XIII, Section 2 of 1972 Montana Constitution—Legislative Consumer Committee: Quilici, Regan, Lucas, Turman.

Fasbender moved that the House recess until 2:15 p.m., this day.

Motion carried.

House in recess.

### AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

### REPORTS OF SELECT COMMITTEES

March 9, 1973

Senate Bill No. 128

### JOINT CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 128, beg leave to report as follows:

That we met this day and considered the House Committee on Labor and Employment Relations Amendment to Senate Bill No. 128, dated February 28, 1973, and recommend as follows:

That the House recede from the House Committee on Labor and Employment Relations Amendment to Section 1, page 1, line 22, after the word "year" by reinstating the stricken material in the remainder of the paragraph as follows: " , and shall be the maximum weekly compensation



benefits to be paid for injuries occurring during the following fiscal year", and

That Senate Bill No. 128 be concurred in.

For the House: McKITTRICK  
LOMBARDI  
MARBUT

For the Senate: BERTSCHE  
SIDERIUS  
McNAMER

Marbut moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Brand, Campbell, Castles, Clemow, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Murphy, Glennen, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Smith, Staig-miller, Stephens, Tierney, Towe, Ulmer, Warfield, Watt, Mr. Speaker. Total 64.

Noes: Bell, Burnett, Mercer, Turner. Total 4.

Excused: Cotton, East, Schye, Walborn, Zimmer. Total 5.

Absent or not voting: Aageson, Bennetts, Bradley, Brown, Colberg, Cox, Ellerd, Fleming, Galt, Greely, Hageman, Hall, Jacobsen, Jones, Kimble, Lundgren, McKittrick, Nichols, Regan, Roberts, Seifert, Selstad, Shelden, Stoltz, Swanberg, Turman, Yardley. Total 27.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

House Bill No. 605, introduced by Greely, Murphy, Tierney, Stephens: A bill for an act entitled: "An act to authorize gambling at not more than ten (10) locations in Montana; and providing for regulation and taxing thereof." Referred to Select Committee on Gambling.

House Resolution No. 35, introduced by Lucas, Ulmer, Schepens: "A Resolution of the House of Representatives of the State of Montana urging the Army Corps of Engineers and other federal agencies to construct levees or dikes to protect the City of Miles City, Montana from periodic flooding." Referred to Committee on Constitution, Elections and Federal Relations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Joint Resolution No. 27 be concurred in (77-0).

That Senate Joint Resolution No. 36 be concurred in (73-16).

That House Bill No. 57 be amended in Section 12 of the second reading bill, on page 10, line 8, by reinstating the stricken material: "203,036" and "202,691",

And further amend Section 12, page 10, line 9, by striking the figures "[174,659]" and "[173,305]", and

Further amend Section 12, page 10, line 11, by striking the words "[earmarked rev. fund]", and inserting in lieu thereof the words "general fund", and (63-16)

Further amend Section 12, page 20, by striking lines 11, 12, 13, 14, 15 in their entirety and inserting in lieu thereof the following:

"Social Service Program

From the General Fund for Operation	444,430	449,291
For Legal Services	50,000	50,000
From the Federal and Private Revenue Fund, Public Welfare Account		
For Operations	2,788,947	2,730,270
For Legal Services	150,000	150,000"

Further amend on page 21, line 20, by striking the words "Rural America" and inserting in lieu thereof the words "Youth Development Program" and reinstate the deleted material in line 21 "from General Fund 50,000 50,000"

Further amend by striking the words in lines 9 through 11 "[In the event the General Fund money for legal services does not generate matching federal funds they shall revert to the General Fund]" and insert in lieu thereof the following: "In the event federal matching funds for legal services are not received or are reduced, the General Fund appropriation for legal services shall revert by the same proportion that the federal funds are reduced." (78-0)

And further amend in Section 12, page 23, line 3, by deleting "[750,-000]" and inserting in lieu thereof "500,000 for each year of biennium." (69-20)

And, as amended, do pass (85-3).

That House Bill No. 592 do pass (72-3).

That House Resolution No. 25 be adopted (79-1).

That House Resolution No. 26 be adopted (82-2).

That Senate Amendments to House Bill No. 118 be concurred in (75-0).

That Senate Amendments to House Bill No. 394 be concurred in (76-2).

That Senate Amendments to House Bill No. 406 be concurred in (82-0).

That Senate Amendments to House Bill No. 442 be concurred in (74-0).

That Senate Amendments to House Bill No. 575 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 15 be concurred in (64-23).

That Senate Amendments to House Bill No. 16 be concurred in (84-3).

That Senate Amendments to House Bill No. 17 be concurred in (86-0).

That Senate Amendments to House Bill No. 128 be concurred in (82-2).

That Senate Amendments to House Bill No. 205 be concurred in (77-6).

That Senate Amendments to House Bill No. 214 be concurred in (79-1).  
That Senate Amendments to House Bill No. 256 be concurred in (84-0).  
That Senate Amendments to House Bill No. 265 be concurred in (65-17).  
That Senate Amendments to House Bill No. 357 be concurred in (51-34).  
That Senate Amendments to House Bill No. 372 be concurred in (81-3).  
That Senate Amendments to House Bill No. 335 be concurred in (75-10).  
That Senate Amendments to House Bill No. 441 be concurred in (80-1).  
That Senate Amendments to House Bill No. 456 be concurred in (85-2).  
That Senate Amendments to House Bill No. 480 be concurred in (82-3).  
That Senate Amendments to House Joint Resolution No. 18 be concurred in (81-0).

That Senate Amendments to House Bill No. 575 be not concurred in (81-5).

That the Committee rise and report.

LOCKREM, Chairman

(Material in brackets denotes cancelled type.)

Fasbender moved that Senate Amendments to House Bill No. 15 be segregated from the Committee of the Whole, and that the report be adopted as amended.

Motion carried.

House Resolution No. 25, introduced by Murphy, Laas, Kolstad, Aage-son: "A Resolution of the House of Representatives of the State of Montana beseeching the President of the United States, the Secretary of Health, Education and Welfare, and the Congress of the United States to protect and preserve the effectiveness and integrity of the regional medical programs."

House Resolution No. 26, introduced by Cotton, Bardanouve: "A Resolution of the House of Representatives of the State of Montana urging the Congress of the United States to amend the Federal Meat Inspection Act to allow the sale and processing of United States inspected and passed meat products by custom exempt plants to public institutions."

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That Senate Amendments to House Bill No. 15 be not concurred in. (83-7)

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Lucas moved that Senate Bill No. 201 be amended in Section 12, subsection (4), page 7, line 19 of the third reading bill as amended by the House Committee on State Administration, following the word "misdemeanor" by reinserting the deleted material "and shall be fined not less than five hundred dollars (\$500) to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction."

Motion failed (7-88).

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Burnett, Colberg, Cox, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lockrem, Lucas, Lund, Lundgren, McKittrick, Marks, Mercer, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 66.

Noes: Baeth, Brand, Campbell, Castles, Clemow, Edland, Hall, R. Harper, Healy, Hubing, Johnston, Kendall, Kosena, Lee, Lien, Lombardi, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Quilici, Staigmiller, Mr. Speaker. Total 25.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bradley, Driscoll, Fleming, Haines, Shelden. Total 5.

Senate Bill No. 300 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bell, Bennetts, Burnett, Castles, Clemow, Hubing, Galt, Glennen, Jones, Kessner, Lien, Marks, Prevost, Seifert, Selstad, Smith, Turner. Total 17.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: East, Fleming, Haines, Lockrem, Shelden. Total 5.

Senate Bill No. 343 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas,



Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Campbell, Fleming, Forsgren, Haines, Shelden. Total 5.

Senate Bill No. 373 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Barrett, Cox, Hager, Olson, Seifert. Total 5.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Fleming, Haines, Shelden. Total 3.

Senate Bill No. 381 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fasbender, Fleming, Forsgren, Hager, Haines, Shelden. Total 7.

Senate Bill No. 411 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith,

Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bennetts, Bradley, Cox, Holmes, McKittrick. Total 5.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Fleming, Haines, Hall, Shelden. Total 4.

Senate Bill No. 446 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanoue, Baucus, Bell, Bradley, Brand, Brown, Campbell, Colberg, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Asbjornson, Barrett, Burnett, Castles, Clemow, Cox, East, Ellerd, Galt, Hager, Hubing, Kvaalen, Olson, Prevost, Rolfe, Seifert, Selstad, Smith, Turner. Total 19.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Glennen, Haines, Shelden. Total 5.

Senate Bill No. 212 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Burnett, Fleming, Haines, Shelden. Total 5.

Senate Bill No. 303 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmler, Stephens, Stoltz,

Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Fleming, Haines, Shelden. Total 3.

Senate Bill No. 377 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Fleming, Haines, Shelden. Total 3.

Senate Bill No. 444 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Burnett, Clemow, East, Ellerd, Flynn, Galt, Hubing, Kimble, Kolstad, Rolfe, Selstad, Warfield. Total 12.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Fleming, Haines, Shelden. Total 3.

Senate Joint Resolution No. 27 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Flynn, Greely. Total 2.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.



Absent or not voting: Ainsworth, Colberg, East, Ellerd, Fleming, Haines, Hubing, Lucas, Marks, Shelden, Swanberg. Total 11.

Senate Joint Resolution No. 36 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fاسبender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Bardanouve, Bennetts, Bradley, Brand, Burnett, Ellerd, Fagg, Hager, Hubing, Huennekens, Kessner, Kosena, Marbut, Menahan, Mercer, Regan, Seifert, Selstad, Towe, Ulmer. Total 20.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Ainsworth, Fleming, Haines, Shelden. Total 4.

Senate Amendments to House Bill No. 118 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fاسبender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, East, Ellerd, Fagg, Fleming, Hubing, Haines, Shelden. Total 8.

Senate Amendments to House Bill No. 394 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fاسبender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Greely, Towe. Total 2.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Asbjornson, Bennetts, East, Fleming, Galt, Haines, Hubing, Lucas, Lundgren, Murphy, Olson, Shelden. Total 12.



Senate Amendments to House Bill No. 406 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, Edland, Ellerd, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Colberg, East, Fasbender, Fleming, Galt, Haines, McKittrick, Shelden, Staigmiller. Total 10.

Senate Amendments to House Bill No. 442 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Castles, Fleming, Galt, Haines, Hodges, Jones, McKittrick, Shelden, Stephens, Turner. Total 11.

Senate Amendments to House Bill No. 16 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Asbjornson, Barrett, Brand, Selstad, Ulmer. Total 5.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bell, Bennetts, East, Fleming, Galt, Haines, Hodges, Lundgren, Shelden, Smith, Turner. Total 11.

Senate Amendments to House Bill No. 17 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Brand, Lockrem, Mercer. Total 3.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bell, Bennetts, Castles, Colberg, Fleming, Galt, Haines, Hubing, Regan, Selstad, Shelden, Turner. Total 12.

Senate Amendments to House Bill No. 128 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Colberg, Roberts, Towe. Total 3.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Galt, Haines, Hubing, Shelden, Tierney. Total 7.

Senate Amendments to House Bill No. 205 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Barrett, Forsgren, Roberts. Total 3.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Edland, Fleming, Galt, Haines, Hall, H. Harper, Hubing, Kvaalen, Mercer, Shelden. Total 11.

Senate Amendments to House Bill No. 214 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 85.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Galt, Haines, H. Harper, Hubing, Lockrem, Olson, Shelden, Watt. Total 10.

Senate Amendments to House Bill No. 256 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Colberg, Ellerd, Fleming, Forsgren, Galt, Haines, Hodges, Hubing, Lockrem, Lucas, Nichols, Shelden. Total 13.

Senate Amendments to House Bill No. 265 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 79.

Noes: Barrett, Burnett, H. Harper, Prevost, Seifert, Selstad, Tierney. Total 7.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, East, Ellerd, Fasbender, Fleming, Galt, Haines, Lockrem, Shelden, Yardley. Total 10.



Senate Amendments to House Bill No. 357 failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hager, H. Harper, Holtz, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marks, Mercer, Rolfe, Seifert, Selstad, Towe, Turner, Ulmer, Warfield, Nichols. Total 41.

Noes: Baeth, Baucus, Bradley, Brand, Clemow, Colberg, Driscoll, Edland, Fasbender, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Watt, Yardley. Total 48.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Haines, Hubing, Prevost, Shelden, Mr. Speaker. Total 7.

Senate Amendments to House Bill No. 372 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Towe. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Ainsworth, Bennetts, Burnett, Campbell, Fleming, Galt, Greely, Haines, Holtz, Kimble, Lockrem, Lundgren, Nichols, Roberts, Seifert, Shelden. Total 16.

Senate Amendments to House Bill No. 335 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Rolfe, Selstad, Smith. Total 3.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Haines, Kimble, Lundgren, Roberts, Seifert, Shelden. Total 8.



Senate Amendments to House Bill No. 441 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, East, Ellerd, Fleming, Flynn, Galt, Haines, Kimble, McKittrick, Nichols, Roberts, Seifert, Shelden, Ulmer, Warfield. Total 15.

Senate Amendments to House Bill No. 456 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Rolfe. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Ainsworth, Bennetts, East, Fleming, Haines, McKittrick, Roberts, Seifert, Shelden. Total 9.

Senate Amendments to House Bill No. 480 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Mercer, Rolfe. Total 2.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Haines, Hall, Roberts, Seifert, Shelden, Ulmer. Total 8.

Senate Amendments to House Joint Resolution No. 18 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: East. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Haines, Hall, Roberts, Seifert, Shelden. Total 7.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 57 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Ellerd, Rolfe. Total 2.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Ainsworth, Bennetts, Fleming, Haines, Shelden. Total 5.

House Bill No. 592 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Bradley, Fleming, Haines, Lundgren, Mercer, Shelden. Total 8.

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill Nos. 357 and 15.

Motion carried.

Fasbender moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate to confer upon House Bill No. 575.

Motion carried.

Fasbender, having voted on the prevailing side in concurring on Third Reading this day on Senate Bill No. 343, moved that the House reconsider its action.

Motion carried.

Fasbender moved that Senate Bill No. 343 be taken from Third Reading and be placed on Second Reading.

Motion carried.

The Speaker appointed the following Conference Committees to confer with like committees from the Senate:

Conference Committee on House Amendments to Senate Bill No. 182: Kosena, Kendall, Cox.

Conference Committee on Senate Amendments to House Bill No. 131: Lynch, Driscoll, Bell.

Free Conference Committee on Senate Amendments to House Bill No. 46: Hall, Brand, Tierney.

## REPORTS OF STANDING COMMITTEES

March 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 54, 196, 422, 403, 313, 270, 581, 574, 125, 428, 502, and 571, and House Joint Resolution No. 16.

QUILICI, Chairman

March 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 583 and 56 and House Resolution No. 28.

QUILICI, Chairman

March 10, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 590.

QUILICI, Chairman

March 10, 1973

I have examined House Bill No. 581 introduced by me and find the same to be correct.

NICHOLS  
BARDANOUVE

March 10, 1973

I have examined House Bill No. 574 introduced by me and find the same to be correct.

BARDANOUE

March 10, 1973

I have examined House Bill No. 502 introduced by me and find the same to be correct.

KIMBLE

March 10, 1973

I have examined House Bill No. 428 introduced by me and find the same to be correct.

YARDLEY

March 10, 1973

I have examined House Bill No. 403 introduced by me and find the same to be correct.

GREELY

March 10, 1973

I have examined House Bill No. 270 introduced by me and find the same to be correct.

SWANBERG

March 10, 1973

I have examined House Bill No. 199 introduced by me and find the same to be correct.

LUCAS

March 10, 1973

I have examined House Bill No. 196 introduced by me and find the same to be correct.

TURMAN

March 10, 1973

I have examined House Bill No. 125 introduced by me and find the same to be correct.

WARFIELD

March 10, 1973

I have examined House Bill No. 54 introduced by me and find the same to be correct.

HARPER, R.

March 10, 1973

I have examined House Joint Resolution No. 16 introduced by me and find the same to be correct.

BAETH

The Speaker signed in open session House Bills Nos. 54, 125, 196, 199, 270, 403, 428, 502, 574 and 581 and House Joint Resolution No. 16.

March 10, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 109, respectively report as follows: That Senate Bill No. 109 be amended on page 1, key line, line 4, of the Senate Third Reading Bill after the figures "25-229," by inserting the new material "26-110.1, 26-110.2," and



Be further amended on page 4, Section 1, 94-1-104, Subsections (1), (2) and (3), lines 11 through 24 of the Senate Third Reading Bill by deleting lines 11 through 24 in their entirety and renumbering the subsequent Subsections, and

Be further amended on page 10, Section 1, 94-2-101, Subsection (15), lines 3 and 4, of the Senate Third Reading Bill after the word "Felony" by deleting the material "[has the meaning specified in Section 94-1-105]" and inserting in lieu thereof the new material "means an offense in which the sentence imposed upon conviction is death or imprisonment in the state prison for any term exceeding one (1) year.", and

Be further amended on page 11, Section 1, 94-2-101, Subsection (25), lines 9 through 16 of the Senate Third Reading Bill after the punctuation and figure "(25)" by deleting all of the material in lines 9 through 16 and inserting in lieu thereof the new material: "Intoxicating substance" means any substance having an hallucinogenic, depressant, stimulating, or narcotic effect, taken in such quantities as to impair mental or physical capability including but not limited to any beverage containing one half of one per centum ( $\frac{1}{2}$  of 1%) or more of alcohol by volume; provided, that the foregoing definition shall not extend to dealcoholized wine, nor to any beverage or liquid produced by the process by which beer, ale, port or wine is produced, if it contains less than one-half of one per centum ( $\frac{1}{2}$  of 1%) of alcohol by volume.", and

Be further amended on page 12, Section 1, 94-2-101, Subsection (31), lines 22 and 23 of the Senate Third Reading Bill after the word "Misdemeanor" by deleting the material "[has the meaning as specified in Section 94-1-105]" and inserting in lieu thereof the new material "means an offense in which the sentence imposed upon conviction is imprisonment in the county jail for any term, or fine, or both or the sentence imposed is imprisonment in the state prison for any term of one year or less", and

Be further amended on page 14, Section 1, 94-2-101, Subsection (37), lines 6 and 7, of the Senate Third Reading Bill after the word "Offense" by deleting the material "[has the meaning specified in Section 94-1-105]" and inserting in lieu thereof the new material "means a crime for which a sentence of death or of imprisonment or fine is authorized. Offenses are classified as felonies or misdemeanors", and

Be further amended on page 16, Section 1, 94-2-101, Subsection (47), lines 3 through 6 of the Senate Third Reading Bill after the word "Possession" by deleting the material "[is a voluntary act if the offender knowingly procured or received the thing possessed, or was aware of his control thereof for a sufficient time to have been able to terminate his control]" and inserting in lieu thereof the new material "is the knowing control of anything for a sufficient time to be able to terminate control", and

Be further amended on page 18, Section 1, 94-2-101, Subsection (56), line 15 of the Senate Third Reading Bill after the word "vulva" by inserting the punctuation ",", and

Be further amended on page 18, Section 1, 94-2-101, Subsection (56), line 15 of the Senate Third Reading Bill after the word "person" by inserting the new material "for the purpose of arousing or gratifying the sexual desire of either party", and

Be further amended on page 22, Section 1, 94-2-103, Subsection (1), line 17 of the Senate Third Reading Bill after the figures "94-2-101 (28)," by deleting the figures "[94-2-101]" and inserting in lieu thereof the material "94-2-101", and

Be further amended on page 22, Section 1, 94-2-103, Subsection (2), line 19 after the words "If the" by deleting the word "[statue]" and inserting in lieu thereof the word "statute", and

Be further amended on page 23, Section 1, 94-2-103, lines 24 and 25 of the Third Reading Senate Bill after the word "defense" by deleting the material "[which the defendant must prove by a preponderance of evidence]", and

Be further amended on page 27, Section 1, 94-2-109, Subsection (1), line 4 of the Senate Third Reading Bill after the words "attained his" by deleting the word "[sixteenth]" and inserting in lieu thereof the word "eighteenth", and

Be further amended on page 27, Section 1, 94-2-109, Subsection (1), line 16 of the Senate Third Reading Bill after the words "attained his" by deleting the word "[sixteenth]" and inserting in lieu thereof the word "eighteenth", and

Be further amended on page 29, Section 1, 94-2-112, Subsection (2), lines 5 and 6 of the Senate Third Reading Bill after the word "proof" by deleting the material "[, by a preponderance of the evidence]", and

Be further amended on pages 38 and 39, Section 1, 94-5-105, Subsection (1), (a), (b), (c), (d), (e), (2), (a), (b) and (c) in the Senate Third Reading Bill in lines 18 through 25 on page 38 and lines 1 through 13 on page 39 by deleting these lines in their entirety and inserting in lieu thereof the new material: "(1) When a defendant is convicted of the offense of deliberate homicide the court shall impose a sentence of death in the following circumstances, unless there are mitigating circumstances:

- a) The deliberate homicide was committed by a person serving a sentence of imprisonment in the state prison, or
- b) The defendant was previously convicted of another deliberate homicide; or
- c) The victim of the deliberate homicide was a peace officer killed while performing his duty.", and

Be further amended on page 40, Section 1, 94-5-202, Subsection (c), line 21 of the Senate Third Reading Bill after the word "weapon" by deleting the punctuation mark "[.]" and inserting in lieu thereof the new material "; or (d) Bodily injury to a peace officer.", and

Be further amended on page 43, Section 1, 94-5-304, Subsections (1) and (2), lines 20 through 25 and continued over to page 44, lines 1 through 4 of the Senate Third Reading Bill by deleting all of the material in lines 20 through 25 and lines 1 through 4 and inserting in lieu thereof the new material: "A court shall impose the sentence of death following conviction of aggravated kidnapping if it finds that the victim is dead as the result of the criminal conduct unless there are mitigating circumstances.", and

Be further amended on page 47, Section 1, 94-5-506, Subsection (1), line 22 in the Senate Third Reading Bill after the word "prove" by deleting the material "[by a preponderance of the evidence]", and

Be further amended on page 58, Section 1, 94-6-201, lines 20 through 25 and continued over to lines 1 and 2 on page 59 of the Senate Third Reading Bill by deleting all the material on lines 20 through 25 on page 58 and lines 1 and 2 on page 59 in their entirety and inserting in lieu thereof the new material " 'Enter or Remain Unlawfully'. A person enters or remains unlawfully in or upon any vehicle, or occupied structure of premises when he is not licensed, invited or otherwise privileged to do so. A person on foot who enters or remains upon uninclosed land is privileged to do so unless notice is personally communicated to him by an authorized person, or unless such notice is given by posting in a conspicuous manner.

In no event shall civil liability be imposed upon the owner or occupier of premises by reason of any privilege created by this action.", and

Be further amended on page 93, Section 1, 94-7-501, lines 9 through 22 of the Senate Third Reading Bill by deleting this Section on Treason in its entirety, and

Be further amended on page 93, Section 1, 94-7-502, lines 23, 24 and 25 and continued to page 94, lines 1 through 23 of the Senate Third Reading Bill by deleting this Section on Desecration of Flags in its entirety, and

Be further amended on page 104, Section 1, 94-8-110, lines 8 through 25, page 105, lines 1 through 25, page 106, lines 1 and 2 of the Senate Third Reading Bill by deleting all of the Section on "Obscenity" and inserting in lieu thereof the new material:

94-8-110. Obscenity

(1) A person commits the offense of obscenity when, with knowledge of the obscene nature thereof, he purposely or knowingly:

(a) Sells, delivers or provides, or offers or agrees to sell, deliver or provide any obscene writing, picture, record or other representation or embodiment of the obscene anyone under the age of eighteen (18); or

(b) Presents or directs an obscene play, dance or other performance or participates directly in that portion thereof which make it obscene to anyone under the age of eighteen (18); or

(c) Publishes, exhibits or otherwise makes available anything obscene to anyone under the age of eighteen (18); or

(d) Performs an obscene act or otherwise presents an obscene exhibition of his body to anyone under the age of eighteen (18); or

(e) Creates, buys, procures or possesses obscene matter or material with the purpose to disseminate it to anyone under the age of eighteen (18); or

(f) Advertises or otherwise promotes the sale of obscene material or materials represented or held out by him to be obscene.

(2) A thing is obscene if: (a) the dominant theme of the material taken as a whole appeals to a prurient interest, that is, a shameful or morbid interest in violence, nudity, sex or excretion; and (b) the material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and (c) the material is utterly without redeeming social value.

(3) In any prosecution for an offense under this section evidence shall be admissible to show:

(a) The predominant appeal of the material, and what effect if any, it would probably have on the behavior of people;

(b) The artistic, literary, scientific, educational or other merits of the material;

(c) The degree of public acceptance of the material in this state;

(d) Appeal to prurient interest, or absence thereof, in advertising or other promotion of material; or

(e) Purpose of the author, creator, publisher or disseminator.

(4) A person convicted of obscenity shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for a term not to exceed six (6) months, or both," and

Be further amended on page 113, section 3, line 11 of the Senate Third Reading bill after the words "or from a" by deleting the material "[relative,]" and



Be further amended on page 148, section 29, lines 16 and 17 of the Senate Third Reading Bill by deleting the material "[94-401 is renumbered 94-5-611, 94-402 is renumbered 94-5-612]", and

Be further amended on page 159, section 31, 95-2206.4, line 1 of the Senate Third Reading Bill after the word "exceed" by deleting the material "[five (5)]" and inserting in lieu thereof the new material "ten (10)", and

Be further amended on page 159, section 32, line 5 of the Senate Third Reading Bill after the figures "94-306," by adding the new material "94-401 through 94-402," and

Be further amended on page 161 in the Senate Third Reading Bill by adding the new section 36 to read as follows: "Section 36. Section 26-110.2, R.C.M. 1947, is amended to read as follows:

"26-110.2. Power of wardens in protection of private property. State fish and game wardens (state conservation officers) shall have the power of peace officers in the enforcement of section [94-3300] 94-6-102, [94-3309] 94-6-203 and 32-4410, R.C.M. 1947.", and

Be further amended on page 161 in the Senate Third Reading Bill by adding the new section 35 to read as follows: "Section 35. Section 26-110.1, R.C.M. 1947, is amended to read as follows:

"26.110.1. Protection of private property by fish and game wardens ex officio fire wardens. It shall be the duty of state fish and game wardens (state conservation officers) to enforce the provisions of sections [94-3308] 94-6-102, [94-3309] 94-6-203 and 32-4410, R.C.M. 1947, on private lands where public recreation is permitted, and to act as ex officio fire wardens as provided by section 81-1412, R.C.M. 1947."

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

March 10, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Burnett. Total 1.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Castles, Ellerd, Fleming, Gunderson, Haines, Lundgren, Seifert, Shelden, Yardley. Total 10.



## REPORTS OF SELECT COMMITTEES

House Bill No. 367

## JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 367, beg leave to report as follows:

That we met this day and considered the Senate Committee on Judiciary Amendments to House Bill No. 367 dated February 27, 1973 and recommend as follows:

That the Senate recede from the Senate Committee on Judiciary Amendment to Section 3, page 2, line 3.

That the Senate recede from the Senate Committee on Judiciary Amendment to Section 3, page 2, line 4.

That the House accede to the Senate Committee on Judiciary Amendment to Section 3, page 2, line 5.

That the House accede to the Senate Committee on Judiciary Amendment to Section 3, page 2, line 6.

That House Bill No. 367 be further amended in Section 3 by adding, on line 8, the following new material:

"Any person convicted of a second offense under this act shall be imprisoned in the state prison for a period not to exceed five (5) years or punishable by a fine not to exceed five thousand dollars (\$5,000) or both such fine and imprisonment."

And recommend that the same be adopted.

For the House: REGAN  
BROWN  
SCHEPENS

For the Senate: GILFEATHER  
BOYLAN  
HARRISON

Regan moved for the adoption of the Conference Committee Report and that the Committee be dissolved.

Conference Committee Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Burnett, East, Rolfe. Total 3.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Castles, Ellerd, Fleming, Haines, Hubing, Lundgren, Roberts, Selstad, Shelden, Ulmer. Total 11.

March 10, 1973

Senate Bill No. 383

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 383, beg leave to report as follows:

That we met this day and considered House Committee on Local Government amendments to Senate Bill No. 383 and recommend as follows:

That the Senate accede to paragraphs 1 and 2 of the amendments.

That the House recede from the last sentence of paragraph 3 of its proposed amendments by striking the following material:

"Be it further provided that the salary of the county attorney shall be computed as above set forth, and in addition thereto, the county attorney shall receive an additional ten percent (10%) of the amount indicate."

That the Joint Conference Committee recommends the bill be amended by adding the following new paragraph:

"Notwithstanding the above, in each county with a population in excess of thirty thousand (30,000) the county attorney shall receive a salary of sixteen thousand dollars (\$16,000) per year."

FOR THE HOUSE:  
LOMBARDI  
ROBERTS  
COX

FOR THE SENATE:  
LYNCH  
HARRISON

Lombardi moved for the adoption of the Conference Committee Report and that the Committee be dissolved.

Conference Committee Report was adopted by the following vote:

Ayes: Aageson, Baeth, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Mr. Speaker. Total 66.

Noes: Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Ellerd, Hall, Kvaalen, Nichols, Olson, Prevost, Rolfe, Selstad, Smith, Turner, Yardley. Total 16.

Excused: Cotton, Schye, Walborn, Zimmer. Total 4.

Absent or not voting: Bennetts, Fleming, Forsgren, Galt, Greeley, Haines, Hubing, Jones, Laas, Lundgren, Marks, Seifert, Shelden, Ulmer. Total 14.

## MESSAGES FROM THE GOVERNOR

March 10, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 37, 82, 145, 244, 253, 288, 321, 344, 393, 397, 417, 426, 504, 540 and

House Joint Resolution No. 11.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 9, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 174, 262, 332 and 459.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 10, 1973

Honorable Bill Christiansen  
President of the Senate  
State Capitol

Honorable Harold Gerke  
Speaker of the House of Representatives  
State Capitol

Sirs:

I am returning H.B. 236 without my signature.

In my opinion this bill only adds another method for fire protection in unincorporated areas where there are already several adequate ways to develop fire protection methods under existing laws. If this bill were enacted, it would superimpose another system of fire protection, where adequate methods are already available. If present methods of fire protection are not adequate, the present laws should be amended, and not new laws added to the law books.

The system of financing fire territories as provided for in this bill is very questionable in that fire territory corporations would be financed out of the general fund of the counties. This would place the burden of financing these corporations on the populace of the entire county, instead of the property owners whose lands are being protected. I believe this system of financing creates both propriety and constitutional problems.

For these reasons, I cannot concur in the passage of H.B. No. 236.

Very truly yours,

THOMAS L. JUDGE  
Governor

## MESSAGES FROM THE SENATE

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 506 was this day by Committee Report, recommended that the bill be not concurred in, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 241, introduced by Lien, et al

House Bill No. 303, introduced by Bradley, et al

House Bill No. 310, introduced by Warfield

House Bill No. 338, introduced by East, et al

House Bill No. 396, introduced by Towe.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 26, introduced by Ainsworth and Gerke (by request)

House Bill No. 146, introduced by Hageman, et al

House Bill No. 220, introduced by Cotton, et al

House Bill No. 320, introduced by Fagg, et al

House Bill No. 463, introduced by H. Harper, et al

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

## HOUSE RESOLUTION NO. 25

Introduced by Murphy, Laas, Kolstad, Aageson:

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE  
STATE OF MONTANA BESEECHING THE PRESIDENT OF THE  
UNITED STATES, THE SECRETARY OF HEALTH, EDUCATION  
AND WELFARE, AND THE CONGRESS OF THE UNITED STATES



TO PROTECT AND PRESERVE THE EFFECTIVENESS AND INTEGRITY OF THE REGIONAL MEDICAL PROGRAMS.

WHEREAS, regional medical programs serving the people of Montana are fulfilling previously unmet rural health care needs, and

WHEREAS, these programs are administered and managed at the local level with local nongovernmental personnel responsible to the regional advisory council, and the regional advisory council, as well as task force and/or committee members involved are donating their time on a voluntary basis to solve health problems at a local level, and

WHEREAS, these programs build on existing strength and work with the private sector of health professionals to assist them in improving the quality and quantity of health care closer to the patient's home, and have become the most effective local force to assist the existing system to improve health care, and

WHEREAS, these programs have contributed significantly to improvement of health care throughout Montana by demonstration of more effective rural health care arrangements: by assistance to community planning and health care needs to hospitals and health care personnel in raising the quality of health care; by training new types of health manpower and improving the skills of existing health care practitioners and the understanding of health care consumers through public education activities, and

WHEREAS, these programs in Montana have demonstrated a marked ability to improve health care in underserved and rural areas by support and training of health workers by assisting in the development of intensive coronary care units, oral cancer clinics, and consumer education projects, diabetes management and stroke rehabilitation, heart-kidney prevention, early recognition of cancer and other health problems, and

WHEREAS, the regional medical programs in Montana have effectively cooperated with each other, state health agencies, comprehensive health planning, voluntary health organizations, and public as well as private education institutions to provide assistance and consultation and establish cooperative arrangements in the regions.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the president of the United States, the secretary of health, education and welfare, and the congress of the United States are requested to provide sufficient funding for the fiscal year 1973 to permit continuation of the effective regional medical programs in Montana, and

BE IT FURTHER RESOLVED, that the legislature of the state of Montana calls upon the congress of the United States to pass appropriate legislation extending authority for the regional medical programs on a continuing basis and appropriating sufficient funds for the fiscal year 1974, and

BE IT FURTHER RESOLVED, that the legislature of the state of Montana calls upon the congressional delegation from the state of Montana to work avidly for the implementation of this resolution, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the president of the United States, the secretary of health, education and welfare, to the senate and house of representatives of the United States and to the senators and representatives representing the state of Montana in the United States congress.

—End—

## HOUSE RESOLUTION NO. 26

Introduced by Cotton, Bardanouve:

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE CONGRESS OF THE UNITED STATES TO AMEND THE FEDERAL MEAT INSPECTION ACT TO ALLOW THE SALE AND PROCESSING OF UNITED STATES INSPECTED AND PASSED MEAT PRODUCTS BY CUSTOM EXEMPT PLANTS TO PUBLIC INSTITUTIONS.

WHEREAS, school districts in isolated areas will suffer significant increases in costs for lower quality meat products under recently promulgated regulations of the United States department of agriculture, and

WHEREAS, the regulations promulgated by the department of agriculture are based on the custom exempt provisions of the Federal Meat Inspection Act and the Curtis amendment, and

WHEREAS, enforcement of these regulations will evoke a severe hardship on Montana's rural school districts and small businesses as well, and

WHEREAS, action by the United States Congress must be taken to correct this situation.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Congress of the United States is urged to amend the Federal Meat Inspection Act to allow the sale and processing of United States inspected and passed meat to public institutions such as school districts, and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the members of the Montana Congressional Delegation, the Honorable Senators Mike Mansfield and Lee Metcalf and the Honorable Representatives Richard Shoup and John Melcher.

—END—

## MOTIONS AND RESOLUTIONS

Hall moved that the Rules be suspended and it be understood by the House that the matter of the Governor not signing House Bill No. 236 be brought up on Order of Business on the next legislative day.

Motion carried.

Fasbender moved that the 43rd Legislative Assembly convene a Special Session of the First Regular Session at 2:00 p.m., March 12, 1973, and ask for a roll call vote.

Norman moved the previous question.

Motion carried.

The original motion carried by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 57.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 42.

Excused: None.

Absent or not voting: Bennetts. Total 1.

Paired: Zimmer, Aye, Hager, No; Shelden, Aye, Schye, No; Cotton, Aye, Walborn, No; Fleming, Aye, Haines, No.

Fasbender moved that the First Regular Session of the 43rd Legislature be adjourned.

Motion carried.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

HOUSE JOURNAL  
Special Session

OF THE

Forty-third Legislative Assembly

OF THE

STATE OF MONTANA

Commencing March 12, 1973

Ending March 24, 1973





# HOUSE JOURNAL

## Special Session

of the

## Forty-third Legislative Assembly

of the

## STATE OF MONTANA

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### FIRST SPECIAL SESSION LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 12, 1973

House convened, pursuant to adjournment, at 2:00 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members were present except Cotton, Edland, Glennen, Brown, Fagg, Lundgren, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the 60th Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

March 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 49, 197, 275, 301, 333, 423, 440.

QUILICI, Chairman

March 12, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 217.

QUILICI, Chairman

March 12, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 13, 61, 84, 85, 105, 142, 143, 168, 226, 246, 249, 329, 346, 365, 402, 427, 455, 548, 549, House Joint Resolutions Nos. 14, 21, 22, do hereby report that said bills, together with a copy thereof, signed by the

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Speaker of the House and President of the Senate, were this day, at the hour of 8:50 a.m., delivered to the Governor for his approval.

QUILICI, Chairman

## MESSAGES FROM THE SENATE

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on Senate Bill No. 369, was this day adopted on Roll Call and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 107, was this day adopted on Roll Call and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 28, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Lynch, Chairman  
Senator McKeon  
Senator Moore.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 339, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Zody, Chairman  
Senator Lowe  
Senator McNamer.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 431, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Thiessen, Chairman  
Senator Jensen  
Senator Lowe.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 214, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Boylan, Chairman  
Senator James  
Senator Deschamps.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 178, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Keenan, Chairman  
Senator Breeden  
Senator Siderius.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 447, and on motion, duly carried, Senator Lynch requested the President be author-



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ized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Shea, Chairman  
Senator Bollinger  
Senator Bennett.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 363, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Graham, Chairman  
Senator Harrison  
Senator Moritz.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 451, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Bollinger, Chairman  
Senator Lynch  
Senator Hazelbaker.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 208, and on motion, duly carried, Senator Lynch requested the President be authorized to appoint a Joint Conference Committee from the Senate to meet with a like Committee from the House to confer on said amendments.

The President appointed the following members:

Senator Zody, Chairman  
Senator Harrison  
Senator Bennett.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

Mr. Speaker:

March 10, 1973

I am directed by the Senate to inform your Honorable Body that House Bill No. 519, introduced by Greely, was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 15 was this day on Committee of the Whole recommended that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 343, introduced by Holmes, et al

House Bill No. 169, introduced by Asbjornson, et al

House Bill No. 373, introduced by Edland, et al

House Bill No. 458, introduced by Norman, Baucus and Quilici

House Joint Resolution No. 37, introduced by Lien & Kimble.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 10, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on Senate Bill No. 128 was this day adopted on roll call and the Committee was dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint Conference Committees to meet with like committees from the Senate on Senate Bills Nos. 28, 451, 208, 363, 447, 178, 214, 431, 339.

Motion carried.

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Lucas moved that the House reconsider its action on House Bill No. 236 and override the veto of said bill.

Motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 89.

Noes: Brand, Flynn, Lien, Quilici, Mr. Speaker. Total 5.

Excused: Brown, Cotton, Edland, Fagg, Glennen, Lundgren. Total 6.

Absent or not voting: None.

The Speaker signed the following Senate Bills in open session: 276, 159, 435, 380, 195, 442, 237, 362, 132, 250, 62, 133, 194, 389, 190 and Senate Joint Resolutions Nos. 8, 18, 14, 37, 31.

#### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees.

House Bill No. 606, introduced by Menahan: A bill for an act entitled: "An act amending Section 61-205, R.C.M. 1947, to require that all adoptions may be decreed only after written consent filed by the Department of Social and Rehabilitation Services or a licensed adoption agency in addition to any other consent required by law." Referred to Committee on Rules.

House Bill No. 607, introduced by Quilici, Lee, Lynch, McKittrick: A bill for an act entitled: "An act amending Section 40-4008, R.C.M. 1947, providing that the time allowed for filing of claims under disability insurance policies be extended from twenty (20) days to six (6) months." Referred to Committee on Rules.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Baeth in the Chair.

Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 343 be passed to the bottom of the board.

That Senate Bill No. 109 be concurred in (86-0).

That Senate Bill No. 376 be concurred in (85-1).

That House Bill No. 55 be amended on page 7, Section 13, line 5, of

the Second Reading Bill under "Board of Public Education" budget by striking the figures "[10,750]" and "[10,750]" and inserting in lieu thereof the new figures "26,750" and "27,750", and

Further amend on page 7, Section 13, line 10, by deleting "[Executive Secretary, Office of]" and inserting in lieu thereof "Commissioner of Higher Education", and

Further amend on page 7, Section 13, line 12, after "From General Fund" by deleting the two figures "[93,663]" and "[98,075]" and inserting in lieu thereof the two figures "103,496" and "106,711", and

Further amend on page 8, Section 13, line 5, after "From General Fund", by striking the two figures "[705,500]" and "[723,500]" and inserting in lieu thereof the two figures "695,643" and "713,643", and

Further amend on page 8, Section 13, following line 5, by inserting two new lines to read:

"From the General Fund	
For Apiary Regulation	18,857            18,857", and

Further amend on page 8, Section 13, lines 20 and 21, by interchanging the two lines to read: "From Fed. & Priv. Rev. Fund" on line 20 and "DEAF AND BLIND ACCT." on line 21 (to correct a typographical error only), and further move the figures with "DEAF AND BLIND ACCT."

Further amend on page 17, Section 13, line 5, by inserting the following new material: "In addition to the amounts specifically appropriated by this Section to the above five vocational-technical centers, there is hereby appropriated to the Superintendent of Public Instruction for distribution to the vocational-technical centers for personal services, operation and equipment the moneys collected from the establishment of a student fee of fifty dollars (\$50) per student collected at the time of registration.", and

Further amend on page 17, Section 13, line 11, following the figures "180,000" by striking the figure "[185,000]" and inserting in lieu thereof the figure "220,000", and (74-4)

Be further amended on page 16, line 25 of the second reading bill, following the figure "2,566,000", by striking the figure "[2,650,500]" and inserting in lieu thereof the figure "2,623,500" (77-5)

Further amend on page 7, Section 13, of the second reading bill, line 23, following "Flathead Valley Comm. Coll." by striking the figures "[540,072]" and "[588,489]" and reinstating the original figures "491,000" and "535,000", and

Further amend on page 7, Section 13, line 24, following "Miles Community College" by striking the figures "[269,490]" and "[293,694]" and reinstating the original figures "245,000" "267,000" and

Further amend on page 7, Section 13, line 25, following "Dawson Community College" by striking the figures "[271,763]" and "[296,992]" and reinstating the original figures "247,000" and "270,000". (47-44)

And further amend Section 13, page 13, line 14, by striking the following figures "[8,585,831]" and "[8,918,297]" and inserting in lieu thereof the following figures: "8,552,783" and "8,884,040"

And further amend by adding the following words and figures as a new line between lines 14 and 15 on page 13: "Social Justice Studies 33,048 34,257", (81-0)

And further amend on page 17, Section 14, line 23, following the word "act" by inserting the following new material, "provided, however, that



these limitations do not apply to the distribution of public funds under the superintendent of public instruction". (76-0)

And be further amended on page 9, line 2, by deleting the figures "[2,253,318]" and insert in lieu thereof "2,291,915"

And further amend on page 9, line 6, by deleting the figure "[1,190,960]" and insert in lieu thereof "1,152,363", (80-0)

And be further amended on page 11, Section 13, lines 8 and 9, of the Second Reading Bill, being page 8, lines 12 and 13 of the introduced bill, by deleting the material on both lines as follows: "[From Fed. & Priv. Rev. Fund]" and "[Library Comm. Acct. 126,965 133,700]" and inserting in lieu thereof the following:

"From General Fund	128,965	133,708
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This appropriation shall be expended only if federal moneys are not received. If such federal funds are received, this appropriation shall revert to the General Fund." and

Further amend on page 11, Section 13, lines 12 and 13 of the Second Reading Bill, being page 8, lines 16 and 17 of the introduced bill, by deleting the material on both lines as follows: "[From Fed. & Priv. Rev. Fund]" and "[Library Comm. Acct. 34,352 35,884]" and inserting in lieu thereof the following:

"From General Fund	34,352	35,884
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This appropriation shall be expended only if federal moneys are not received. If such federal funds are received, this appropriation shall revert to the General Fund." and

Further amend on page 11, Section 13, lines 17 and 18 of the Second Reading Bill, being page 8, lines 21 and 22 of the introduced bill, by deleting the material on both lines as follows:

"[From Fed. & Priv. Rev. Fund]" and "[Library Comm. Acct. 45,176 46,630]" and inserting in lieu thereof the following:

"From General Fund	45,176	46,630
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This appropriation shall be expended only if federal moneys are not received. If such federal funds are received, this appropriation shall revert to the General Fund." and

Further amend on page 12, Section 13, lines 7 and 8 of the Second Reading Bill, being page 9, lines 5 and 6 of the introduced bill, by deleting the material on both lines as follows:

"[From Fed. & Priv. Rev. Fund]" and "[Library Comm. Acct. 26,785 24,605]" and inserting in lieu thereof the following:

"From General Fund	26,785	24,605
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This appropriation shall be expended only if federal funds are not received. If such federal funds are received, this appropriation shall revert to the General Fund." and

Further amend on page 12, Section 13, lines 11 and 12 of the Second Reading Bill, being page 9, lines 9 and 10 of the introduced bill, by deleting the material on both lines as follows:

"[From Fed. & Priv. Rev. Fund]" and "[Library Comm. Acct. 15,020 15,649]" and inserting in lieu thereof the following:

"From General Fund	15,020	15,649
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This appropriation shall be expended only if federal moneys are not received. If such federal funds are received, this appropriation shall revert to the General Fund." (74-11)

And as amended, do pass (84-3).

That House Bill No. 56 do pass (89-2).

That House Bill No. 583 be passed to the bottom of the board.

That House Bill No. 593 do pass (81-0).

That House Resolution No. 27 be adopted (74-0).

That House Resolutions 28 and 29 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 26 be concurred in (73-0).

That Senate Amendments to House Bill No. 146 be concurred in (72-1).

That Senate Amendments to House Bill No. 220 be not concurred in (72-1).

That Senate Amendments to House Bill No. 320 be concurred in (58-23).

That Senate Amendments to House Bill No. 463 be not concurred in (72-8).

That the Committee rise and report.

BAETH, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

## HOUSE RESOLUTION NO. 27

Introduced by Cotton, Bardanouve, Schepens, Jacobsen, Prevost, Edland.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE MONTANA CONGRESSIONAL DELEGATION TO PROPOSE LEGISLATION THAT WOULD AUTHORIZE THE CONSTRUCTION OF AN ADDITIONAL POWER GENERATING PLANT AT THE FORT PECK DAM.

WHEREAS, experience and statistics have verified that power can and is being produced for the lowest possible cost by hydroelectric power generation facilities, such as Fort Peck, and

WHEREAS, the environment is not adversely affected by power generating plants such as Fort Peck, and

WHEREAS, with proper management, facilities such as Fort Peck can be fine tourist attractions, and

WHEREAS, there is an energy crisis in the United States which would be reduced by the development of additional hydroelectric generation facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Montana congressional delegation is requested to propose legislation in the United States Congress to authorize the construction of additional hydroelectric power generation facilities at the Fort Peck Dam, and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to Senators Mike Mansfield and Lee Metcalf, and Representatives John Melcher and Richard Shoup.

END

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 590 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Brown, Cotton, Edland, Fagg, Glennen, Lundgren. Total 6.

Absent or not voting: Burnett, Halvorson, Kendall. Total 3.

Lucas moved that House Bill No. 55 be amended on page 7, Section 13, line 23, following "Flathead Valley Comm. Coll." by striking the figures "[491,000]" and "[535,000]" and inserting in lieu thereof the following figures "540,072" and "588,489",

And further amend on page 7, Section 13, line 24, following "Miles Community College" by striking the figures "[245,000]" and "[267,000]" and inserting in lieu thereof the following figures "269,490" and "293,694",

And further amend on page 7, Section 13, line 25, following "Dawson Community College" by striking the figures "[247,000]" and "[270,000]" and inserting in lieu thereof the following figures "271,763" and "296,992".

The motion failed (42-53).

Burnett moved that House Bill No. 55 be amended in Section 6, page 3, lines 18, 19, 20 and 21 of the second reading copy, following the word and punctuation "budget" insert a period (.) and strike the remaining material in its entirety through line 21.

The motion failed (34-64).

House Bill No. 55 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosena,

Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Burnett, East, Hager, Hubing, Jones, Rolfe, Smith, Turner, Ulmer, Walborn. Total 10.

Excused: Brown, Cotton, Edland, Fagg, Glennen, Lundgren. Total 6.

Absent or not voting: Ainsworth, Halvorson, Kendall, Mercer. Total 4.

House Bill No. 56 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Rolfe. Total 2.

Excused: Brown, Cotton, Edland, Fagg, Glennen, Lundgren. Total 6.

Absent or not voting: Ainsworth, Greely, Hall, Halvorson, Kendall. Total 5.

(Material in brackets denotes cancelled type.)

## REPORTS OF STANDING COMMITTEES

March 12, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 54, 125, 196, 199, 270, 403, 428, 502, 574, 581 and House Joint Resolution No. 16, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:20 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 571 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 423 introduced by me and find the same to be correct.

TOWE

I have examined House Bill No. 422 introduced by me and find the same to be correct.

SHELDEN

I have examined House Bill No. 349 introduced by me and find the same to be correct.

ZIMMER

I have examined House Bill No. 313 introduced by me and find the same to be correct.

ZIMMER



# HOUSE JOURNAL—SPECIAL SESSION FORTY-THIRD LEGISLATIVE ASSEMBLY

I have examined House Bill No. 301 introduced by me and find the same to be correct.

MARBUT

I have examined House Bill No. 275 introduced by me and find the same to be correct.

FLYNN

I have examined House Bill No. 197 introduced by me and find the same to be correct.

STOLTZ

I have examined House Bill No. 49 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed the following House Bills in open session: House Bills Nos. 571, 423, 422, 349, 313, 301, 275, 197, 49.

## UNFINISHED BUSINESS

The Speaker appointed the following Conference Committees to meet with like Committees from the Senate:

House Amendments to Senate Bill No. 178: Staigmiller, chairman; Colberg, Ellerd.

House Amendments to Senate Bill No. 431: Prevost, Chairman; Hageman, Bell.

House Amendments to Senate Bill No. 447: McKittrick, chairman; Lombardi, East.

House Amendments to Senate Bill No. 339: Greely, chairman; Baucus, H. Harper.

House Amendments to Senate Bill No. 363: Laas, chairman; Lien, Lucas.

House Amendments to Senate Bill No. 214: Kendall, chairman; Norman, Cox.

House Amendments to Senate Bill No. 451: Edland, chairman; Gerke, Hubing.

House Amendments to Senate Bill No. 208: Sheldon, chairman; Gunderson, Schye.

Senate Amendments to House Bill No. 357: Lee, chairman; Baeth, Aageson.

Free Conference Committee on House Bill No. 575: Bardanoue, chairman; Kosena, Nichols.

Senate Amendments to House Bill No. 15: Yardley, chairman; Swanberg, Fagg.

House Amendments to Senate Bill No. 28: Fasbender, chairman; Yardley, Lockrem.

Fasbender moved that the House adjourn until 1:30 p.m., March 13, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SPECIAL SESSION SECOND LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 13, 1973

House convened, pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

On roll call all members were present except Cotton, Lundgren, Glen-nen and Mehrens, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session First Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 13, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 573, 23, 469, 534, 96, 471, 468, 304, 78, 112, 171, 407, 488, 375, 444, 392, 314 and 21.

FLEMING, Vice-Chairman

February 24, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 586, respectfully report as follows: That House Bill No. 586 be amended on page 1, title line 10, after the word "than" by striking the words and figure "[twenty-five cents (25¢)]" and inserting in lieu thereof the words and figure "fifteen cents (15¢)", and

Be further amended on page 1, title, line 12, after the word "than" by striking the words and figure "[ten cents (10¢)]" and inserting in lieu thereof the words and figure "four and one-half cents (4½¢)", and

Be further amended on page 2, line 3, after the word and figure "[ten cents (10¢)]" by striking the words and figure "[twenty-five cents (25¢)]" and inserting in lieu thereof the words and figure "fifteen cents (15¢)", and

Be further amended on page 2, line 5, after the figure "[3¢]" by striking the words and figure "[ten cents (10¢)]" and inserting in lieu thereof the words and figure "four and one-half cents (4½¢)", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

February 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 455, respectfully report as follows: That Senate Bill No. 455 be concurred in.

WATT, Chairman

Report adopted.

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February 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 454, respectfully report as follows: That Senate Bill No. 454 be amended on page 1, section 1, subsection b, beginning on line 18, by striking that subsection b and also subsection c in their entirety, and renumbering subsequent subsections, and

Be further amended on page 2, section 2, subsection b, beginning on line 21, by striking that subsection b and also subsection c in their entirety, and renumbering subsequent subsections, and

As amended, be concurred in.

WATT, Chairman

Report adopted.

March 13, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 32, respectfully report as follows: That House Resolution No. 32 be adopted.

LEE, Chairman

Report adopted.

March 13, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 do pass.

SHELDEN, Chairman

Report adopted.

March 13, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Resolution No. 30, respectfully report as follows: That House Resolution No. 30 do pass.

KOSENSA, Chairman

Report adopted.

March 13, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 183, respectfully report as follows: That Senate Bill No. 183 be amended in section 1, subsection (1), page 2, lines 14 through 15 of the Third Reading Bill by deleting all of the material beginning with the word "participate" at line 14 through the word "act," at line 15 and inserting in lieu thereof the words "be designated a depository for county, city or town funds,"

And be further amended in section 1, subsection (4), page 4, lines 12 through 22 of the Third Reading Bill by deleting all of said subsection (4).

And be further amended in section 1, subsection (5), page 4, line 25 of the Third Reading Bill by deleting the word "[distributed]" and inserting in lieu thereof the word "deposited".

And be further amended in section 1, subsection (5), page 5, line 2 of the Third Reading Bill by deleting the word "[distributed]" and inserting in lieu thereof the word "deposited".

And be further amended by renumbering subsections (5), (6), (7) and (8) as subsections (4), (5), (6) and (7).

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

KOSENSA, Chairman

Report adopted.

## MESSAGES FROM THE SENATE

March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 367 was this day adopted and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee of three members to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 46.

The President appointed the following:

Senator Devine—Chairman  
Senator Nees  
Senator Klindt

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the first conference committee appointed on House amendments to Senate Bill 208 was dissolved and the President was authorized to appoint a new conference committee of three to meet with a like committee from the House.

The President appointed the following:

Senator McKeon, Chairman  
Senator Bertsche  
Senator Turnage

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 377, and on motion duly carried, the President was authorized to appoint a Conference Committee of three to meet with a like Committee from the House to confer on said amendments.

The President appointed the following:

Senator Northey, Chairman  
Senator Moritz  
Senator Manning

Respectfully,

JOHN N. HANSON  
Secretary of the Senate



March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 153, introduced by McKittrick, et al, was this day read three several times and concurred in, title and history agreed to and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 12, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to Senate Bill No. 300, and on motion, duly carried, the President was authorized to appoint a Conference Committee of three to meet with a like committee from the House to confer on said amendments.

The President appointed the following:

Senator James, Chairman  
Senator Rosell  
Senator Bennett

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Tierney moved that Senate Bill No. 42 be taken from Committee on Finance and Claims and be placed on Second Reading. A roll call vote was requested by Tierney, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Barrett, Bradley, Brown, Campbell, Clemow, Cox, Driscoll, Fagg, Forsgren, Hodges, Jones, Kolstad, Lockrem, Lucas, Lund, Lynch, Marbut, Mercer, Murphy, Olson, Seifert, Tierney, Turman, Ulmer, Warfield. Total 27.

Noes: Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Brand, Castles, Colberg, East, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lombardi, McKittrick, Manuel, Nichols, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 55.

Excused: Cotton, Glennen, Lundgren, Mehrens. Total 4.

Absent or not voting: Bell, Burnett, Ellerd, Galt, Hageman, Holmes, Kosen, Marks, Menahan, Prevost, Schye, Smith, Stephens, Zimmer. Total 14.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

The following bills were introduced March 12, 1973 and referred to Rules Committee:

House Bill No. 606 was referred to Committee on Judiciary by the Speaker.

House Bill No. 607 was referred to Committee on Public Health, Welfare and Safety by the Speaker.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Aageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 343 be amended in section 1, page 1, on line 16 following the word "reappointed" by striking the word and figure "[two (2)]" and inserting in lieu thereof the word and figure "four (4)"

And further amend on line 17 following the word "Senate" by striking the word and figure "[one (1)]" and inserting in lieu thereof the word and figure "two (2),"

And further amend on line 17 following the word "and" by striking the word and figure "[two (2)]" and inserting in lieu thereof the word and figure "four (4)" (Burnett, no).

And as amended, be concurred in (adopted unanimously).

That House Bill No. 583 be amended in the title, line 7 and 8 of the Second Reading bill by deleting the words "[as a reserve or active member]" and inserting in lieu thereof the following words "on active duty in." (Colberg, no).

And as amended, do pass (Colberg, no).

(Material in brackets denotes cancelled type.)

That House Resolution No. 28 be adopted (85-1).

That House Resolution No. 29 be adopted (86-3).

That Senate Amendments to House Bill No. 169 be concurred in (81-0).

That Senate Amendments to House Bill No. 343 be concurred in (73-3).

That Senate Amendments to House Bill No. 373 be concurred in (79-1).

That Senate Amendments to House Bill No. 458 be concurred in (76-0).

That Senate Amendments to House Joint Resolution No. 37 be concurred in (75-8).

That the Committee rise and report.

AAGESON, Chairman

Report adopted.

House Resolution No. 28, introduced by Quilici, Lynch, Lucas, Ainsworth, Gerke: A resolution of the House of Representatives of the State of Montana requesting the Legislative Council to study the operations of the Montana Horse Racing Commission, including a comparison of pari-mutuel racing practices in other states.

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House Resolution No. 29, introduced by Kvaalen, Lucas, Ulmer, Tierney, Selstad, Cox, Glennen, Mercer, Hager, Galt, Lund, Warfield, Lockrem, Schye: A resolution of the House of Representatives of the State of Montana urging the 43rd legislative assembly to address itself during the interim and the Second Session of the Legislative Assembly to analyzing the problem of attracting new industry to the state and the creation of a better business climate within the state.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Hall moved that Senate Bill No. 109 be amended on House Committee on Judiciary Amendments, dated March 10, by deleting from page 2 of said amendments the following: "be further amended on page 27, section 1, 94-2-109, subsection (1) line 4 of the Senate Third Reading Bill after the words "attained his" by deleting the word "[sixteenth]" and inserting in lieu thereof the words "eighteenth",

And further amend such Judiciary Committee amendments in line 2, second paragraph from bottom of page 2, by changing "[line 16]" to "line 6".

Motion carried (88-0).

(Material in brackets denotes cancelled type.)

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Stephens, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Cotton, Glennen, Lundgren. Total 3.

Absent or not voting: Bell, Hageman, Kosena, Lien. Total 4.

Senate Bill No. 376 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Cotton, Glennen, Lundgren, Mehrens. Total 4.

Absent or not voting: Lien. Total 1.

Senate Amendments to House Bill No. 26 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Forsgren, Galt, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Cotton, Glennen, Lundgren, Mehrens. Total 4.

Absent or not voting: Bardanouve, Ellerd, Greely, Hager, Hubing, Lucas, Nichols, Roberts, Seifert, Turner. Total 10.

Senate Amendments to House Bill No. 146 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Jones. Total 1.

Excused: Cotton, Glennen, Lundgren, Mehrens. Total 4.

Absent or not voting: Bardanouve, Ellerd, Forsgren, Greely, Hager, Lucas, Nichols, Roberts. Total 8.

Senate Amendments to House Bill No. 320 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Manuel, Marks, Menahan, Mercer, Norman, Quilici, Rolfe, Seifert, Selstad, Smith, Staigmilller, Stephens, Swanberg, Tierney, Towe, Walborn, Watt, Mr. Speaker. Total 65.

Noes: Baucus, Bennetts, Bradley, Flynn, Hall, Holmes, McKittrick, Marbut, Murphy, Prevost, Regan, Schepens, Shelden, Stoltz, Turman, Warfield, Yardley. Total 17.

Excused: Cotton, Glennen, Lundgren, Mehrens. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Ellerd, Greely, Gun-



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derson, Hager, Lucas, Nichols, Olson, Roberts, Schye, Turner, Ulmer Zimmer. Total 14.

March 13, 1973

I have examined House Bill No. 78 introduced by me and find the same to be correct.

FAGG

March 13, 1973

I have examined House Bill No. 96 introduced by me and find the same to be correct.

EDLAND

March 13, 1973

I have examined House Bill No. 407 introduced by me and find the same to be correct.

SWANBERG

March 13, 1973

I have examined House Bill No. 471 introduced by me and find the same to be correct.

LUCAS

March 13, 1973

I have examined House Bill No. 375 introduced by me and find the same to be correct.

FASBENDER

March 13, 1973

I have examined House Bill No. 23 introduced by me and find the same to be correct.

AINSWORTH

March 13, 1973

I have examined House Bill No. 21 introduced by me and find the same to be correct.

AINSWORTH

March 13, 1973

I have examined House Bill No. 468 introduced by me and find the same to be correct.

GUNDERSON

March 13, 1973

I have examined House Bill No. 112 introduced by me and find the same to be correct.

SWANBERG

March 13, 1973

I have examined House Bill No. 444 introduced by me and find the same to be correct.

SWANBERG

March 13, 1973

I have examined House Bill No. 534 introduced by me and find the same to be correct.

MARKS

March 13, 1973

I have examined House Bill No. 314 introduced by me and find the same to be correct.

ULMER

March 13, 1973

I have examined House Bill No. 392 introduced by me and find the same to be correct.

LYNCH

March 13, 1973

I have examined House Bill No. 304 introduced by me and find the same to be correct.

HAINES

March 13, 1973

I have examined House Bill No. 488 introduced by me and find the same to be correct.

BRAND

March 13, 1973

I have examined House Bill No. 469 introduced by me and find the same to be correct.

GREELY

March 13, 1973

I have examined House Bill No. 171 introduced by me and find the same to be correct.

MENAHAN

The Speaker signed in open session House Bills Nos. 78, 96, 407, 471, 375, 23, 21, 468, 112, 444, 534, 314, 392, 304, 488, 469 and 171, and Senate Bills Nos. 443 and 94.

#### MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate on House Amendments to Senate Bills Nos. 300 and 377.

Motion carried.

Fasbender moved that the House accede to the request of the Senate and that the Speaker appoint Conference Committees to meet with like Committees from the Senate on Senate Amendments to House Bills Nos. 220 and 463.

Motion carried.

Edland moved that the Conference Committee on Senate Bill No. 451 be dissolved and that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate.

Motion carried.

Fasbender moved that House Resolution No. 34 be taken from Committee on Rules and be rereferred to Committee on Fish and Game.

Motion carried.

The Speaker appointed the following Conference Committees:

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Senate Amendments to House Bill No. 463: McKittrick, Chairman; Regan, H. Harper.

Free Conference Committee on Senate Bill No. 451: Edland, Chairman; Gerke, Hubing.

Senate Amendments to House Bill No. 220: Gunderson, Chairman; Cotton, Barrett.

House Amendments to Senate Bill No. 377: Watt, Chairman; Healy, Ulmer.

House Amendments to Senate Bill No. 300: Bardanouve, Chairman; Jacobsen, Haines.

Fasbender moved that the House adjourn until 1:30 p.m., March 14, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SPECIAL SESSION THIRD LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 14, 1973

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Glennen, Lundgren, Kolstad, Cotton, Flynn, Fasbender, East, Holtz, Laas, Burnett and Clemow, excused.

Quorum present.

Mr. Speaker: We, your committee on Bills and Journal, having examined the daily journal for the Special Session Second Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 13, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 49, 197, 275, 301, 313, 349, 422, 423, and 571, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:05 p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 17, 69, 127, 214, 256, 309,

310, 363, 286, 25, 68, 107, 108, 135, 241, 260, 279, 303, 335, 358 and House Joint Resolutions Nos. 1 and 31.

FLEMING, Vice-Chairman

March 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 593.

FLEMING, Vice-Chairman

March 14, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 600 and House Resolutions Nos. 30 and 32.

FLEMING, Vice-Chairman

March 14, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 603, respectfully report as follows: That House Bill No. 603 do not pass.

LOMBARDI, Chairman

As a substitute motion, Tierney moved that House Bill No. 603 be held over until the 1974 session. Tierney requested a roll call vote with the Ayes and Nays spread on the journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Brand, Brown, Colberg, Driscoll, Fagg, Forsgren, Greely, Hodges, Holmes, Huennekens, Lynch, McKittrick, Marbut, Rolfe, Swanberg, Tierney, Towe, Turman, Ulmer. Total 19.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Cox, Edland, Fleming, Galt, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosen, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 64.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanoue, Ellerd, Haines, R. Harper, Jones, Lucas. Total 6.

Thereupon the committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Colberg, Cox, Edland, Ellerd, Fleming, Forsgren, Galt, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 67.

Noes: Brand, Brown, Driscoll, Fagg, Hodges, Holmes, Huennekens, Lucas, Lynch, McKittrick, Marbut, Regan, Rolfe, Tierney, Towe, Turman, Ulmer. Total 17.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.



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Absent or not voting: Bardanouve, Greely, Haines, R. Harper, Manuel,  
Total 5.

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Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 35, respectfully report as follows: That House Resolution No. 35 do pass.

LOMBARDI, Chairman

Report adopted.

March 14, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be amended in the key line on page 1, line 12, by deleting the code "[69-3505]" and inserting in lieu thereof the codes "69-6601 through 69-6614, 82A-217", and

Be further amended on page 15, line 14, section 4 (1), after the word "system," by deleting the following material: "[All drawings for elk permits shall be held in the city or town which has suitable accommodations for the persons who will attend the drawing, nearest to the area to be hunted. In no case may the drawing be held in a city or town more distant than the county seat nearest to the area to be hunted.]", and inserting in lieu thereof the following material: "The procedures used for awarding the permits from the drawing system shall be determined by the commission.", and

Be further amended on page 61, line 3, section 43, after the word "of" by striking the word "[a]", and inserting in lieu thereof the words "an accredited", and

Be further amended on page 61, line 4, section 43, after the word "learning," by inserting the following: "or of any governmental agency,", and

Be further amended on page 61, line 8, Section 43, after the word "animals" by striking the words "[found in this state]" and inserting in lieu thereof the words "protected by Montana law or state fish and game regulations", and

Be further amended on page 61, line 9, section 43, after the word "capture" by striking the word "[them]", and inserting in lieu thereof the following: "protected or unprotected birds, fish or animals", and

Be further amended on page 61, line 15, section 43, after the words "for a" by striking the word "[license.]" and inserting in lieu thereof the following: "permit. The director may set qualifications for persons to whom permits are issued and may place special authorizations or special requirements and limitations on any permit.", and

Be further amended on page 61, line 18, section 43, before the word "which" by striking the word "[license]" and inserting in lieu thereof the word "permit", and

Be further amended on page 61, line 19, section 43, by striking the following: "[investigation, and shall]" and inserting in lieu thereof the following "collections may", and

Be further amended on page 61, line 20, section 43, after the word "taken" by inserting the following: "and shall require a report of the numbers and species of animals taken by collection area", and

Be further amended on page 61, line 21, section 43, after the word "The" by striking the word "[licensee]" and inserting in lieu thereof the word "permittee", and

Be further amended on page 61, line 23, section 43, after the word "the"

by striking the word "[license]" and inserting in lieu thereof the word "permit", and

Be further amended on page 61, line 24, Section 43, by striking the word "[licensee]" and inserting in lieu thereof the word "permittee", and

Be further amended on page 62, line 1, section 43, after the word "the" by striking the word "[license]", and inserting in lieu thereof the following: "permit. Any representative of an accredited school, college, university, or other institution of learning who may have various students or associates assisting him throughout the year may apply to have his permit issued to himself and his associates. The associates, when carrying a copy of the permit, shall have the same authorizations and restrictions as the original applicant. The original applicant shall keep a record of all associates to whom he issued a copy of his permit and of the times for which each associate is issued a copy. The original applicant is responsible for his associates' use of the permit or copies of the permit, including their reports of species and numbers of animals collected", and

Be further amended on page 75, lines 24 and 25, and page 76, line 1, section 53, by deleting subsection (1) in its entirety, and

Be further amended by renumbering subsequent subsections to conform numerically, and

Be further amended on page 76, line 2, section 53, subsection (2), after the word "of" by striking the words "[fish and game]", and inserting in lieu thereof the word "administration", and

Be further amended on page 76, line 3, section 53, subsection (2), after the word "chapter" by striking the figure "[20]" and inserting in lieu thereof the figure "2", and

Be further amended, starting on page 77, line 18, through and including page 82, line 21, by striking Section 54 in its entirety, and

Be further amended by renumbering subsequent sections to conform numerically, and

Be further amended on page 83, line 8, section 59, subsection (5), by striking the following material: "[ (5) Passenger tramways (title 69, chapter 66).]", and

Be further amended on page 83, line 7, section 59, subsection (4), by striking the semicolon "[:]" and inserting a period ".", and

Be further amended on page 86, after line 24, by inserting a new subsection to section 62 to read as follows: "(a) Wherever the words "Montana aerial tramway safety board," "passenger tramway safety board," or "board" appear in sections 69-6601, 69-6605, 69-6606, 69-6607, 69-6608, 69-6609, 69-6610, 69-6611, 69-6612, 69-6613, 69-6614, the word "department" is substituted therefore.", and

Be further amended on page 87, line 2, section 63, after the code "62-404," by inserting the codes "69-6603, 69-6604, 82A-217," and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.

March 14, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 254, respectfully report as follows: That Senate Bill No. 254 be amended in the title on page 1, line 7, after the word "of"

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by striking the following: “[ONE DOLLAR (\$1)]”, and inserting in lieu thereof the following: “TWO DOLLARS (\$2)”, and

Be further amended on page 1, line 23, section 1, by striking the following “[board of equalization]”, and inserting in lieu thereof the following: “department of revenue or the county treasurer”, and

Be further amended on page 1, line 24, section 1, after the word “the” by striking the word “[board]”, and inserting in lieu thereof the word “department”, and

Be further amended on page 2, line 5, section 1, after the word “the” by striking the word “[board]” and inserting in lieu thereof the word “department”, and

Be further amended on page 2, line 6, section 1, after the word “the” by striking the words “[owner of the snowmobile]”, and inserting in lieu thereof the words “county treasurer”, and

Be further amended on page 2, line 7, section 1, after the word “transmitted” by inserting the words “by him”, and

Be further amended on page 2, line 7, section 1, after the word “the” by striking the word “[board]”, and inserting in lieu thereof the word “department”, and

Be further amended on page 2, line 8, section 1, after the word “of” by striking the material: “[one dollar (\$1)]”, and inserting in lieu thereof the material: “two dollars (\$2)”, and

Be further amended on page 2, line 11, section 1, after the word “commission” by inserting the following new material: “, with one dollar (\$1) designated for use in enforcing the purposes of this act and one dollar (\$1) designated for use in developing snowmobile facilities”, and

Be further amended on page 2, line 12, section 1, after the word “the” by striking the word “[board]” and inserting in lieu thereof the following: “department or county treasurer”, and

Be further amended on page 2, line 14, section 1, by striking the word “[board]” and inserting in lieu thereof the word “department”, and

Be further amended on page 2, after line 15, by adding new sections 2 and 3 to read as follows:

“Section 2. In the event any registration receipt or decal shall be lost, mutilated or become illegible, the persons to whom the same shall have been issued shall immediately make application for and may obtain a duplicate thereof, upon payment of a fee of one dollar (\$1) to the county treasurer.

Section 3. (1) A dealer registration certificate shall be issued in accordance with this act.

(2) Upon receipt of dealer application and payment of fees which will be twenty-five dollars (\$25), the dealer shall be issued two (2) dealer snowmobile identification cards which will be carried by dealer or dealer's customer when operating or demonstrating dealer's snowmobiles.

(3) No bond will be required of the dealer.

(4) Additional dealer snowmobile identification cards may be purchased by the dealer for a fee of two dollars (\$2).”, and

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.



March 14, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 318, respectfully report as follows: That Senate Bill No. 318 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

STAIGMILLER, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 13, 1973

## SENATE BILL NO. 339

## JOINT CONFERENCE COMMITTEE REPORT

## MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 339, beg leave to report as follows:

That we met Monday, March 12th and considered House Committee on State Administration amendments of March 1, 1973 and House Committee of the Whole amendments to the House Committee on State Administration amendments to Senate Bill No. 339. The Committee of the Whole amendments were made on March 5, 1973. This Joint Conference Committee recommends as follows:

That the House recede from paragraphs two and four of the House Committee on State Administration amendments dated March 1, 1973 to Senate Bill 339, and the Joint Conference Committee further recommends the bill be amended as follows:

Amend Section 1, page 1, line 24, by striking the word "[air]" and after the word "mile" by striking the following "[for the distance actually traveled by airplane]" and inserting in lieu thereof the following new material "by the shortest regularly traveled automobile route when travel is by private plane",

And further amend Section 2, page 2, line 14, by striking the word "[air]" and after the word "mile" by striking the following "[for each mile necessarily traveled by airplane]" and inserting in lieu thereof the following new material "by the shortest regularly traveled automobile route when travel is by private plane, and no more";

And that Senate Bill No. 339 as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

## FOR THE SENATE:

ZODY  
LOWE  
McNAMER

## FOR THE HOUSE:

GREELY  
BAUCUS  
H. HARPER

Greely moved that the Conference Committee report be adopted and that the Committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staig-



Miller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 78.

Noes: Fagg, Tierney. Total 2.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Ellerd, Haines, R. Harper, Norman, Schye, Walborn, Yardley, Zimmer. Total 9.

March 14, 1973

Senate Bill No. 451

### JOINT FREE CONFERENCE COMMITTEE REPORT

#### MR. SPEAKER AND PRESIDENT OF THE SENATE:

We, your Joint Senate and House Free Conference Committee on Senate Bill No. 451, beg leave to report as follows:

That we met this day and considered House amendments dated March 8, 1973, to Senate Bill No. 451 and recommend as follows:

That the title of the engrossed bill be amended on page 1, line 7, following the word "TO" by deleting the word and figure "[FOUR (4)]" and by inserting in lieu thereof the word and figure "EIGHT (8)"; amend line 9, following the word "OF" by deleting the words "[Study Committees]" and by inserting in lieu thereof the following material: "Subcommittees; providing for powers and duties of select and standing committees when the Legislature is not in session"; amend line 11, following the word "providing" by deleting the words "[a method of determining council]" and by inserting in lieu thereof the words "for a priorities committee to determine interim".

That all of the material be stricken following the enacting clause and insert in lieu thereof the material attached, beginning on page 12.

That Senate Bill No. 451 be concurred in as amended.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
BOLLINGER  
LYNCH  
HAZELBAKER

FOR THE HOUSE:  
EDLAND  
GERKE  
HUBING

Edland moved that the Conference Committee report be adopted and that the Committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Fagg, Forsgren, Galt, Greeley, Gunderson, Hageman, Hager, Hall, Halvorson, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: H. Harper, Kvaalen, Marks, Nichols, Prevost, Smith. Total 6.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Ellerd, Fleming, Haines, R. Harper, Roberts, Selstad, Swanberg. Total 8.

## MESSAGES FROM THE GOVERNOR

March 14, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measure:

House Bill No. 365.

Sincerely,

BILL CHRISTIANSEN  
Acting Governor

cc: Honorable C. R. Thiessen

## MESSAGES FROM THE SENATE

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 472, introduced by Groff, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 334, introduced by Lien, et al

House Bill No. 532, introduced by Towe, et al

House Bill No. 578, introduced by Gunderson, Fasbender

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted, on third reading vote, the Joint Conference Committee Report on House amendments to Senate Bill No. 339 and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House

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Bill No. 513, introduced by Fasbender, was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Representative Harold E. Gerke  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana

Dear Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on this day the Senate failed to override the Governor's veto on House Bill No. 236.

I am, therefore, returning House Bill No. 236.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Prevost moved that the Conference Committee on House Amendments to Senate Bill No. 431 be dissolved and that a Free Conference Committee be appointed by the Speaker to meet with a like committee from the Senate.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 608, introduced by Haines, Hall: A bill for an act entitled: "An act Amending Section 4-404, R.C.M. 1947; providing for increases in the various liquor license fees." Referred to Committee on Business and Industry.

House Bill No. 609, introduced by Haines, Hall: A bill for an act entitled "An Act Amending Section 4-403, R.C.M. 1947, abolishing the quota system for liquor licenses." Referred to Committee on Business and Industry.

House Bill No. 610, introduced by Turman, McKittrick: A bill for an act entitled: "An Act Amending Section 11-1704, R.C.M. 1947; providing that municipal judges' salaries be set by City Ordinance." Referred to Committee on Local Government.

House Resolution No. 36, introduced by Holmes, Gerke, Baucus, R. Harper, Turman, Kimble, Stoltz: A resolution of the House of Representatives of the State of Montana requesting the Congress of the United States of America to enact legislation extending the Community Mental Health Centers Act beyond June 30, 1973; to appropriate funds for new federally approved staffing grants; and to urge the President of the United States to sign such extension into law and release such appropriation for approved use. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 472, introduced by Groff: A bill for an act entitled: "An act appropriating money for the operation of the Forty-Third Legislative Assembly and providing an effective date." Referred to Committee on Finance and Claims.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 343 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Haines, R. Harper, Hubing, Manuel, Marks. Total 6.

Senate Amendments to House Bill No. 169 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Haines, R. Harper, Hubing, Manuel. Total 5.

Senate Amendments to House Bill No. 343 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Rolfe. Total 1.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Haines, Ulmer. Total 3.



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Senate Amendments to House Bill No. 373 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Cox. Total 1.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Haines, Kendall, Nichols. Total 4.

Senate Amendments to House Bill No. 458 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Haines, McKittrick, Mehrens. Total 4.

Senate Amendments to House Joint Resolution No. 37 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, Edland, Ellerd, Fagg, Fleming, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Burnett, Clemow, Cotton, East, Fasbender, Flynn, Glennen, Holtz, Kolstad, Laas, Lundgren. Total 11.

Absent or not voting: Bardanouve, Cox, Forsgren, Haines, Schye. Total 5.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 183 be amended by deleting all of the amendments of the House Committee on Local Government to said Senate Bill No. 183 (47-32).

And as amended, be concurred in (75-0).

That Senate Bill No. 454 be concurred in (No: Haines, Seifert, Asbjornson, Barrett, Olson, Smith, Walborn, Schye, Galt, Rolfe, Warfield, Ellerd, Turner, Jones, Campbell, Castles, Hubing, Marks — 18).

That Senate Bill No. 455 be concurred in (No: Haines, Seifert, Asbjornson, Barrett, Olson, Smith, Walborn, Cox, Mercer, Galt, Schye, Kvaalen, Lockrem, Rolfe, Warfield, Ellerd, Selstad, Ageson, Turner, Bell, Castles, Campbell, Jones, Hubing, Marks — 25).

That the Committee rise and report, and beg leave to sit again.

Murphy, Chairman

Murphy moved for adoption of the Committee of the Whole report.

As a substitute motion, Bardanouve moved that Senate Bill No. 183 be segregated from the Committee of the Whole report and as amended, the report be adopted.

Motion failed.

Thereupon, the Committee of the Whole report was adopted.

March 12, 1973

I have examined House Bill No. 440 introduced by me and find the same to be correct.

LEE

March 14, 1973

I have examined House Bill No. 25 introduced by me and find the same to be correct.

AINSWORTH

March 14, 1973

I have examined House Bill No. 310 introduced by me and find the same to be correct.

WARFIELD

March 14, 1973

I have examined House Bill No. 241 introduced by me and find the same to be correct.

LIEN

March 14, 1973

I have examined House Bill No. 303 introduced by me and find the same to be correct.

BRADLEY

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March 14, 1973

I have examined House Bill No. 68 introduced by me and find the same to be correct.

BRADLEY

March 14, 1973

I have examined House Bill No. 335 introduced by me and find the same to be correct.

AAGESON

March 14, 1973

I have examined House Bill No. 214 introduced by me and find the same to be correct.

McKITTRICK

March 14, 1973

I have examined House Bill No. 17 introduced by me and find the same to be correct.

SHELDEN

March 14, 1973

I have examined House Bill No. 107 introduced by me and find the same to be correct.

LYNCH

March 14, 1973

I have examined House Bill No. 256 introduced by me and find the same to be correct.

YARDLEY

March 14, 1973

I have examined House Bill No. 279 introduced by me and find the same to be correct.

HALL

March 14, 1973

I have examined House Bill No. 358 introduced by me and find the same to be correct.

LYNCH

March 14, 1973

I have examined House Bill No. 69 introduced by me and find the same to be correct.

BRAND

March 14, 1973

I have examined House Bill No. 309 introduced by me and find the same to be correct.

WARFIELD

March 14, 1973

I have examined House Bill No. 135 introduced by me and find the same to be correct.

KENDALL

March 14, 1973

I have examined House Bill No. 286 introduced by me and find the same to be correct.

HUENNEKENS

March 14, 1973

I have examined House Bill No. 363 introduced by me and find the same to be correct.

GUNDERSON

March 14, 1973

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BARDANOUE

March 14, 1973

I have examined House Joint Resolution No. 31 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed in open session House Bills Nos. 440, 25, 310, 241, 303, 68, 335, 214, 17, 107, 256, 279, 358, 69, 309, 135, 286, 363 and House Joint Resolutions Nos. 1 and 31.

### FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Bill No. 611, introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for waiver by the regents of the Montana University System of nonresident tuition for selected and approved non-resident student athletes consistent with numbers allowable under athletic association or conference regulation." Referred to Committee on Judiciary.

### REPORTS OF STANDING COMMITTEES

March 14, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 611, report the bill for printing and to be placed on second reading without recommendation.

HALL, Chairman

Report adopted.

March 14, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be amended in the third reading copy on page 5, line 21, by striking the numbers "[17,432]" and "[47,658]" and inserting in lieu thereof the numbers: "18,552" and "49,388", and

Further amend on page 6, line 1, by striking the numbers "[16,941]" and "[68,768]" and inserting in lieu thereof the numbers: "19,620" and "73,156", and

Further amend on page 6, line 10, by striking the numbers "[378,566]" and "[465,073]" and inserting in lieu thereof the numbers: "386,624" and "482,183", and

Further amend on page 6, line 22, by striking the numbers "[136,355]" and "[121,743]" and inserting in lieu thereof the numbers: "139,701" and "129,254", and

Further amend on page 7, line 2, by striking the numbers "[1,104,668]" and "[1,005,868]" and inserting in lieu thereof the numbers: "1,133,284" and "1,136,625", and



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Further amend on page 7, line 7, by striking the numbers “[264,094]” and “[252,568]” and inserting in lieu thereof the numbers: “267,441” and “259,656”, and

Further amend on page 7, line 12, by striking the numbers “[1,614,362]” and “[1,658,554]” and inserting in lieu thereof the numbers: “1,684,060” and “1,778,247”, and

Further amend on page 7, line 16, by striking the numbers “[4,836]” and “[5,171]” and inserting in lieu thereof the numbers: “5,050” and “5,628”, and

Further amend on page 8, line 6, by striking the numbers “[265,015]” and “[284,348]” and inserting in lieu thereof the numbers: “268,297” and “291,229”, and

Further amend on page 8, line 12, by striking the numbers “[29,308]” and “[32,765]” and inserting in lieu thereof the numbers: “29,871” and “33,889”, and

Further amend on page 8, line 17, by striking the numbers “[43,391]” and “[84,634]” and inserting in lieu thereof the numbers: “51,139” and “96,136”, and

Further amend on page 8, line 22, by striking the numbers “[48,668]” and “[86,302]” and inserting in lieu thereof the numbers: “50,306” and “89,762”, and

Further amend on page 9, line 3, by striking the numbers “[19,698]” and “[14,386]” and inserting in lieu thereof the numbers: “20,283” and “15,559”, and

Further amend on page 9, line 7, by striking the numbers “[103,327]” and “[194,956]” and inserting in lieu thereof the numbers: “112,634” and “213,893”, and

Further amend on page 9, line 12, by striking the numbers “[47,070]” and “[153,311]” and inserting in lieu thereof the numbers: “49,820” and “158,731”, and

Further amend on page 9, line 16, by striking the numbers “[66,187]” and “[70,887]” and inserting in lieu thereof the numbers: “67,799” and “74,321”, and

Further amend on page 9, following line 18, by inserting the following new material:

No part of this appropriation may be spent for custodial services rendered by the Montana Childrens Center for Children other than dependent and neglected children within the definition of Section 10-501. This restriction does not apply to children committed to the institution prior to July 1, 1973.

Further amend on page 9, line 22, by striking the numbers “[5,634]” and “[21,899]” and inserting in lieu thereof the numbers: “6,079” and “22,704”, and

Further amend on page 10, line 2, by striking the numbers “[9,298]” and “[25,613]” and inserting in lieu thereof the numbers: “12,203” and “30,796”, and

Further amend on page 10, line 9, by striking the numbers “[5,865]” and “[15,339]” and inserting in lieu thereof the numbers: “6,107” and “15,786”, and

Further amend on page 10, line 14, by striking the numbers “[57,834]”

and "[75,782]" and inserting in lieu thereof the numbers: "57,806" and "77,-271", and

Further amend on page 10, line 25, by striking the numbers: "[110,448]" and "[110,581]" and inserting in lieu thereof the numbers: "111,598" and "113,006", and

Further amend on page 11, line 5, by striking the numbers "[328,718]" and "[598,319]" and inserting in lieu thereof the numbers: "379,002" and "669,866", and

Further amend on page 11, line 10, by striking the numbers "[262,635]" and "[526,479]" and inserting in lieu thereof the numbers: "279,176" and "561,328", and

Further amend on page 11, line 16, by striking the numbers "[14,439]" and "[27,938]" and inserting in lieu thereof the numbers: "14,988" and "29,002", and

Further amend on page 11, line 21, by striking the numbers "[60,003]" and "[146,298]" and inserting in lieu thereof the numbers: "66,410" and "158,666", and

Further amend on page 12, line 1, by striking the numbers "[86,732]" and "[91,601]" and inserting in lieu thereof the numbers: "90,588" and "95,647", and

Further amend on page 12, line 6, by striking the numbers "[42,323]" and "[73,261]" and inserting in lieu thereof the numbers "44,912" and "78,730", and

Further amend on page 12, line 23, by striking the numbers "[25,589]" and "[63,796]" and inserting in lieu thereof the numbers "26,917" and "66,532", and

Further amend on page 13, line 3, by striking the numbers "[38,228]" and "[128,696]" and inserting in lieu thereof the numbers: "46,759" and "146,900", and

Further amend on page 13, line 10, by striking the numbers "[24,328]" and "[104,586]" and inserting in lieu thereof the numbers "29,227" and "114,810", and

Further amend on page 13, line 17, by striking the numbers: "[229,006]" and "[238,836]" and inserting in lieu thereof the numbers "230,452" and "241,828", and

Further amend on page 13, line 22, by striking the numbers: "[22,167]" and "[26,896]" and inserting in lieu thereof the numbers: "22,940" and "28,-492", and

Further amend on page 14, line 2, by striking the numbers "[42,521]" and "[98,354]" and inserting in lieu thereof the numbers "44,920" and "101,-167", and

Further amend on page 14, line 9, by striking the numbers: "[67,903]" and "[74,547]" and inserting in lieu thereof the numbers: "69,856" and "78,-663", and

Further amend on page 14, line 14, by striking the numbers: "[674,369]" and "[1,106,934]" and inserting in lieu thereof the numbers: "693,980" and "1,147,268", and

Further amend on page 14, line 20, by striking the numbers "[147,754]" and "[166,288]" and inserting in lieu thereof the numbers: "151,895, and "172,294", and

Further amend on page 14, line 24, by striking the numbers: "[19,321]"

and “[31,979]” and inserting in lieu thereof the numbers: “19,329” and “31,987”, and

Further amend on page 15, line 3, by striking the numbers: “[128,669]” and “[272,258]” and inserting in lieu thereof the numbers: “129,431” and “273,865”, and

Further amend on page 15, line 7, by striking the numbers: “[15,829]” and “[11,940]” and inserting in lieu thereof the numbers: “16,315” and “12,977”, and

Further amend on page 15, line 12, by striking the numbers: “[595,255]” and “[38,863]” and inserting in lieu thereof the numbers: “595,537” and “39,463”, and

Further amend on page 15, line 19, by striking the numbers: “[1,217]” and “[13,019]” and inserting in lieu thereof the numbers: “1,847” and “14,207”, and

Further amend on page 15, line 24, by striking the numbers: “[31,486]” and “[69,540]” and inserting in lieu thereof the numbers: “35,138”, and “75,529”, and

Further amend on page 16, line 4, by striking the numbers: “[13,664]” and “[13,899]” and inserting in lieu thereof the numbers: “12,571” and “12,806”, and

Further amend on page 16, line 10, by striking the numbers: “[3,786]” and “[3,893]” and inserting in lieu thereof the numbers: “6,862” and “7,907”, and

Further amend on page 16, line 16, by striking the numbers: “[12,903]” and “[19,276]” and inserting in lieu thereof the numbers: “13,207” and “19,851”, and

Further amend on page 16, line 21, by striking the numbers: “[64,084]” and “[99,562]” and inserting in lieu thereof the numbers: “70,567” and “112,992”, and

Further amend on page 17, line 2, by striking the numbers: “[67,878]” and “[64,184]” and inserting in lieu thereof the numbers: “71,019” and “69,244”, and

Further amend on page 17, line 9, by striking the numbers: “[86,849]” and “[97,474]” and inserting in lieu thereof the numbers: “89,654” and “103,320”, and

Further amend on page 17, line 14, by striking the numbers: “[1,506,251]” and “[3,016,500]” and inserting in lieu thereof the numbers: “1,649,154” and “3,264,117”, and

Further amend on page 17, line 19, by striking the numbers: “[730,669]” and “[774,567]” and inserting in lieu thereof the numbers: “748,064” and “818,051”, and

Further amend on page 17, line 24, by striking the numbers: “[625,272]” and “[651,738]” and inserting in lieu thereof the numbers: “649,887” and “673,203”, and

Further amend on page 18, line 13, by striking the numbers: “[152,521]” and “[155,287]” and inserting in lieu thereof the numbers: “154,207” and “158,886”, and

Further amend on page 18, line 16, by striking the numbers: “[29,769]”

and "[89,777]" and inserting in lieu thereof the numbers: "31,143" and "92,596", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

Report adopted. BARDANOUE, Chairman

Hall moved that the House adjourn until 1:30 p.m., March 14, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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#### FOURTH SPECIAL SESSION LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 15, 1973

House convened pursuant to adjournment, at 1:30 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Lundgren, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 3rd Legislative Day, find the same to be correct.

QUILICI, Chairman

Without objection, the House proceeded to Order of Business No. 6.

#### MOTIONS AND RESOLUTIONS

Lynch moved that the Speaker appoint a committee to escort the committee from the Senate, namely Senators Hall, Lynch and Flynn, to the House to hear the resolution about to be read.

Motion carried.

The Speaker appointed Representatives Regan, Stoltz and Castles to this committee.

The resolution was read and adopted.

#### REPORTS OF STANDING COMMITTEES

March 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 16, 338, 128, 406, 442, 480, 396, 441, 394, 456, 283, 118, 50 and House Joint Resolution No. 18.

QUILICI, Chairman



HOUSE JOURNAL—SPECIAL SESSION  
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March 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Resolution No. 35.

QUILICI, Chairman

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 21, 23, 25, 69, 78, 96, 112, 135, 171, 279, 286, 304, 309, 314, 358, 363, 375, 392, 407, 444, 468, 469, 471, 488, 534, and House Joint Resolutions Nos. 1 and 31, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate were this day, at the hour of 10:50 a.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 127 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 573 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed in open session the following bills: House Bills Nos. 127 and 573 and Senate Bills Nos. 41, 44, 103, 134, 175, 245, 292, 306, 336, 338, 366, 371, 386, 393, 397, 403, 407, 427.

March 15, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following changes:

Terminated as of March 15, 1973: Pages—Joni Adamson, Holly Marleene, Carlee McNay, Mark Holzer, Debra Bartlett, Mary Laumeyer, Judie Mehrens.

New Pages: Marcy Pavlovich, Darcine Anderson, Ilene Seifert, Jan Davis, Yunn Chii Wong, Linda Luinstra.

Terminating: Kim Hansen, March 6, 1973; Rick Disney, March 10, 1973; Robert Stephens, March 10, 1973.

EDLAND, Chairman

Report adopted.

March 15, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 589, respectfully report as follows: That House Bill No. 589 be amended in the title on page 1, line 8, after the word "Regents" by striking the words "[of the]" and inserting in lieu thereof the words "Establish Guidelines for", and

Be further amended in the title on page 1, line 8, after the words "of the" by inserting the word "Administrative", and

Be further amended in the title on page 1, line 9, after the word "Colleges" by striking the words "[on a uniform basis]", and

Be further amended in Section 1 (5), page 2, line 2, by striking the word "[Fix]" and inserting in lieu thereof the words "Establish guidelines for", and

Be further amended in Section 1 (5), page 2, line 2, after the words "compensation of" by inserting the word "administrative", and

Be further amended in Section 1 (5), page 2, line 3, after the word "colleges" by striking the words "[in the state on a uniform basis]", and

Be further amended in Section 2, page 2, line 9, after the word "duties" by inserting the following material "and fix their compensation. The trustees shall set compensation of the administrative employees under the guidelines set forth in Subsection 5, Section 75-8103, R.C.M. 1947.",

And, as so amended, do pass.

GUNDERSON, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

March 14, 1973

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 396, respectfully report as follows: That Senate Bill No. 396 be concurred in.

EDLAND, Vice-Chairman

Report adopted.

March 13, 1973

Mr. Speaker: We, your Committee on Long Range Building, having had under consideration House Bill No. 585, respectfully report as follows: That House Bill No. 585 do not pass.

JOHNSTON, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Towle, Turman, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Greely, Hodges, Holtz, Laas, McKittrick, Murphy, Swanberg, Tierney, Ulmer. Total 9.

Excused: Lundgren. Total 1.

Absent or not voting: Baucus, Castles, Ellerd, Hageman, Holmes, Kimble, Lockrem, Lynch, Roberts, Shelden, Stoltz, Warfield, Zimmer. Total 13.

## REPORTS OF SELECT COMMITTEES

March 13, 1973

Senate Bill No. 377

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 377, beg leave to report as follows:

That we met this day and considered House Committee on Taxation amendments to Senate Bill No. 377 and recommend as follows:

That the Senate accede to the proposed amendment of the House Committee on Taxation to Senate Bill No. 377, and the Joint Conference Committee recommends the bill be further amended as follows:

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Amend the title, line 11, by deleting the word "[Board]" and inserting in lieu thereof the word "Commission";

And further amend on page 2, Section 1, line 17, by deleting the word "[Board]" and inserting in lieu thereof the word "Commission";

And further amend on page 3, Section 1, line 4, by deleting the word "[Board]" and inserting in lieu thereof the word "Commission";

And further amend on page 3, Section 1, line 8, by deleting the word "[Board]" and inserting in lieu thereof the word "Commission";

And that Senate Bill No. 377, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

For the Senate: NORTHEY  
MANNING  
MORITZ

For the House: WATT  
ULMER  
HEALY

Watt moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Castles, East, Ellerd, Fagg, Galt, Holmes, Kimble, Lund, Quilici, Stoltz, Zimmer. Total 11.

Joint Conference Committee report on House Bill No. 131. Driscoll moved for adoption of the Conference Committee report.

Since the Senate failed to adopt the Conference Committee report, Driscoll withdrew his motion.

March 13, 1973

Senate Bill No. 214

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Conference Committee of the Senate and House appointed to meet on Senate Bill No. 214, beg leave to report as follows:

That we met this day and considered House Committee on Local Government amendments to Senate Bill No. 214 and recommend as follows:

That the Senate accede to the proposed amendments of the House Committee on Local Government with the exception of the third amendment which the Joint Conference Committee recommends be changed as follows: by striking the words "[If the governing body finds such protests to have been signed by the owners of taxable property having an assessed valuation equal to twenty percent (20%) or more of the assessed valuation of all taxable property within the municipality,]"

And that Senate Bill No. 214 be passed, as so amended.

(Material in brackets denotes cancelled type.)

For the Senate: BOYLAN, Chm.  
DESCHAMPS

For the House: KENDALL, Chm.  
NORMAN  
COX

Kendall moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: East, Haines. Total 2.

Excused: Lundgren. Total 1.

Absent or not voting: Ellerd, Galt, Holmes, Kimble, Lockrem, Towe. Total 6.

March 14, 1973

Senate Bill No. 431

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 431, beg leave to report as follows:

That we met this day and considered House Committee on State Administration amendments to Senate Bill No. 431 and recommend as follows:

That the Joint Conference Committee has failed to agree on the House Amendments to Senate Bill No. 431, and request the President of the Senate and the Speaker of the House to appoint a Free Conference Committee on Senate Bill No. 431.

For the Senate: THIESSEN  
JENSEN

For the House: PREVOST  
BELL  
HAGEMAN



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Hageman moved for adoption of the Conference Committee report, and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Marbut, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Baucus, Burnett, Colberg, Edland, Ellerd, Fagg, Galt, Haines, Kimble, Kolstad, Lockrem, Manuel, Mehrens, Nichols, Norman, Schye, Selstad, Towe, Walborn. Total 19.

March 14, 1973

Senate Bill No. 182

JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 182, beg leave to report as follows:

That we met this day and considered House Committee on Local Government amendments to Senate Bill No. 182 and recommend as follows:

That the House recede from its proposed amendments on Senate Bill No. 182, and the Joint Conference Committee recommends further that the blue Senate bill be amended as follows:

In the title, page 1, line 9, of the blue Senate bill, by striking the words and figures "[Five Hundred (500)]" and inserting in lieu thereof the words and figures "One Thousand (1,000)";

In Section 1, page 1, line 25, after the word "than", by striking the words and figures "[Five Hundred (500)]" and inserting in lieu thereof the words and figures "One Thousand (1,000)";

And further amend Section 1, page 2, line 5, after the word "with", by striking the words and figures "[Five Hundred (500)]" and inserting in lieu thereof the words and figures "One Thousand (1,000)";

And that Senate Bill No. 182, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

For the Senate: JAMES  
THIESSEN  
ABER

For the House: KOSENA  
COX  
KENDALL

Cox moved for adoption of the Conference Committee report, and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Swanberg, Turman, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Brand, Greely, Tierney. Total 3.

Excused: Lundgren. Total 1.

Absent or not voting: Colberg, Driscoll, Ellerd, Fasbender, Haines, Hall, Hodges, Lockrem, Lynch, Manuel, Selstad, Smith, Staigmiller, Towe, Walborn. Total 15.

Senate Bill No. 363

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint House and Senate Conference Committee having had under consideration House Committee on Highways and Transportation amendment to Senate Bill No. 363, beg leave to report as follows:

That the Senate accede to the proposed Committee on Highways and Transportation amendment to Senate Bill No. 363, dated March 3, 1973, and the Joint Conference Committee recommends the bill be amended as follows:

Amend on page 2, Section 1, line 3, of the Senate Third Reading Bill, by striking Subsection 2 in its entirety and inserting a new Subsection 2 to read as follows: (2) "Within incorporated cities and towns, and upon county roads or secondary highways, the department of highways shall not control access without the consent of the appropriate governing body."

That Senate Bill No. 363 be concurred in, as so amended.

For the House: LAAS  
LIEN  
LUCAS

For the Senate: GRAHAM  
HARRISON  
MORITZ

Laas moved for adoption of the Conference Committee report, and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller,

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Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Clemow, Gunderson. Total 2.

Excused: Lundgren. Total 1.

Absent or not voting: Ellerd, Haines, Hall, Kosena, Lockrem, Lucas, Lynch, Manuel, Selstad, Smith, Towe, Walborn. Total 12.

March 13, 1973

House Bill No. 46

## FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 46, beg leave to report as follows:

That we met this day and considered the Senate Committee on Judiciary amendments to House Bill No. 46 and recommend as follows:

That the House accede to paragraph 1 of the Senate Committee on Judiciary amendments to House Bill No. 46;

And further that the Senate recede from paragraphs 2 and 3 of the Senate Committee on Judiciary amendments to House Bill No. 46.

And that House Bill No. 46, as so amended, be concurred in.

For the Senate: DEVINE  
NEES

For the House: HALL  
BRAND  
TIERNEY

Hall moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Ellerd, Haines, Lockrem, Lynch, Manuel, Mehrens, Nichols, Selstad. Total 8.

## REPORTS OF STANDING COMMITTEES

March 15, 1973

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 595, respectfully



report as follows: That House Bill No. 595 be amended in the key on page 1, line 14, after the code "69-4216" by inserting the code "69-4218", and

Be further amended in the title on page 2, line 8, after the word "the" by adding the words "Codification and General", and

Be further amended in Section 2, page 5, line 4, after the word "the" by striking the word "[sixth]", and inserting in lieu thereof "tenth", and

Be further amended in Section 9, Subsection (2), page 25, lines 5 and 6 by deleting the material contained therein in its entirety, and

Be further amended by renumbering subsequent Subsections to conform numerically, and

Be further amended in Section 10 on page 25, line 23, following the word "chapter", by striking the figure "[1]", and

Be further amended in Section 10, Subsection (2) (a) and (b) starting on page 26, line 13, through and including line 4 on page 27, by striking all the material contained therein in its entirety, and

Be further amended in Section 32, after Subsection (16) on page 58, line 7, by adding a new Subsection (17) to read as follows: "(17) Have the power to use personnel of local departments of health to assist in the administration of laws relating to public health.", and

Be further amended in Section 36, Subsection 13, page 61, lines 19 through 21, by deleting the material contained therein in its entirety, and

Be further amended in Section 38, starting with page 62, line 17 through and including page 65, line 4, by deleting the Section in its entirety, and

Be further amended by renumbering subsequent Sections to conform numerically, and

Be further amended after Section 42 on page 72, after the material on line 9, by adding a new Section to read as follows: "Section 43. Section 69-4218, R.C.M. 1947, is amended to read as follows: "69-4218. Hearings and judicial review. (1) No rule or amendment or repeal thereof shall take effect except after public hearing on due notice[, and after the advisory committee has been afforded not less than thirty (30) days prior to publication of the proposed text to comment thereon.] Such notice shall be given by public advertisement not less than twenty (20) or more than thirty (30) days prior to the date set for [such] the hearing.

(2) Nothing in this Section [shall be construed to require] requires a hearing prior to the issuance of an emergency order pursuant to Section [11 69-4216] of this act 69-4216.

(3) Any person aggrieved by any order of the board may apply for rehearing upon one (1) or more of the following grounds, and upon no other grounds:

(a) The board acted without or in excess of its powers.

(b) The order was procured by fraud.

(c) The order is contrary to the evidence.

(d) The applicant has discovered new evidence, material to him, which he could not, with reasonable diligence, have discovered and produced at the hearing.

(e) Competent evidence was excluded to the prejudice of the applicant. The petition must be in such form and filed in such time as the board shall prescribe.



[ (4) (a) Within thirty (30) days after the application for rehearing is denied, or, if the application is granted, within thirty (30) days after the decision on the rehearing, any party aggrieved thereby may appeal to the district court of any judicial district of the state which is the situs of property affected by the order.]

[ (b) The appeal shall be taken by serving a written notice of appeal upon the executive officer of the board, which service shall be made by the delivery of a copy of the notice to such officer, and by filing the original with the clerk of the court to which the appeal is taken. Immediately upon service upon the board, the board shall certify to the district court the entire record and proceedings, including all testimony and evidence taken by the board. Immediately upon receiving the certified record, the district court shall fix a day for filing of briefs and hearing arguments on the cause, and shall cause a notice of the same to be served upon the board and the appellant.]

[ (c) The court shall hear and decide the cause upon the record of the board. The court shall determine whether or not the board regularly pursued its authority, whether or not the findings of the board were supported by substantial competent evidence and whether or not the board made error of law prejudicial to the appellant.]

[ (5) Either the board or the person aggrieved may appeal from the decision of the district court to the supreme court. The proceedings before the supreme court shall be limited to a review of the record of the hearing before the board and of the district court's review of that record.] and

Be further amended in Section 89, page 123, line 21, by deleting the year "[1969]" and inserting in lieu thereof the year "1967", and

Be further amended in Section 89, page 123, starting with line 22, by reinstating the stricken material as follows: "Certificates of proper classification may be issued without examination to the person or persons certified by the governing board or owner to have been in responsible charge of the water and waste water plants and water distribution systems on the effective date of the act. A certificate so issued will be valid only in that plant.", and

Be further amended in Section 101, Subsection (2) (a), page 137, line 5, after the word "who" by deleting the following "[have the degree of doctor of medicine]", and inserting in lieu thereof the following "are licensed to practice medicine in this state", and

Be further amended in Section 101, Subsection (2)(b), page 137, line 7, after the word "who" by deleting the following: "[has the degree of doctor of dental surgery]", and inserting in lieu thereof the following: "is licensed to practice dentistry in this state", and

Be further amended in Section 102, Subsections (2) and (2)(a), page 138, lines 6 through 9, by deleting the material contained therein in its entirety, and

Be further amended in Section 102, Subsection (2)(b), page 138, line 10, by deleting the following: "[ (b) Ten]", and inserting in lieu thereof the following: "(2) The council consists of ten", and

Be further amended in Section 103, page 139, line 23, by deleting the following material: "[twelve (12)]" and inserting in lieu thereof the following: "eleven (11)", and

Be further amended in Section 103, Subsection (2)(a), page 139, starting with line 25, through and including line 1 on page 140, by deleting the material contained therein in its entirety, and

Be further amended by renumbering subsequent Subsections to conform alphabetically, and

Be further amended in Section 105, starting with line 25 on page 141, through and including line 22 on page 142, by deleting the material contained therein in its entirety, and

Be further amended by renumbering subsequent Sections to conform numerically, and

Be further amended in Section 118, page 150, line 10, after the code "69-4113" by adding the code "69-4210," and

Be further amended on page 150, after line 13, by adding a new Section 119 to read as follows: "Section 119. This act is effective on passage and approval.",

And, as so amended, do pass.

LEE, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### MESSAGES FROM THE GOVERNOR

March 15, 1973

Honorable Harold Gerke  
Speaker of the House  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 54, 246 and 427.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

#### MESSAGES FROM THE SENATE

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on Senate Bill No. 451 was this day dissolved and the President was authorized to appoint a Free Conference Committee of three to meet with a like committee from the House to confer on House amendments to said bill.

The President appointed the following members:

Senator Bollinger, Chairman  
Senator Lynch  
Senator Hazelbaker.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 178 and appointed a new Conference Committee.

The President appointed the following members:

Senator Goodheart, Chairman  
Senator Graham  
Senator Darrow.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 431 and appointed a Free Conference Committee composed of the same members from the Senate.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate Amendments to House Bill 15.

The President appointed the following:

Senator McGowan, Chairman  
Senator Turnage  
Senator McOmber.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 208 and a new Conference Committee was appointed.

The President Pro Tem appointed the following members:

Senator Lynch, Chairman  
Senator Flynn  
Senator Turnage.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 124 and the President Pro Tem was authorized to appoint a new Free Conference Committee.

The President Pro Tem appointed the following members:

Senator McKeon, Chairman  
Senator Goodheart  
Senator Bennett.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 129 and appointed a new Conference Committee.

The President appointed the following members:

Senator McKeon, Chairman  
Senator Goodheart  
Senator McNamer.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate amendments to House Bill No. 220.

The President appointed the following:

Senator Gilfeather, Chairman  
Senator Breeden  
Senator Shea.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 463.

The President appointed the following:

Senator McNamer, Chairman  
Senator Harrison  
Senator Zody.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate



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March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee of three members to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 357.

The President appointed the following:

Senator McKeon, Chairman  
Senator Lowe  
Senator Keenan.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 13, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee of three members to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 575.

The President appointed the following:

Senator Bollinger, Chairman  
Senator Cochrane  
Senator Boylan.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Free Joint Conference Committee Report to Senate Bill No. 451 and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Free Joint Conference Committee Report to House Bill No. 46 and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President Pro Tem to appoint a Conference

Committee to meet with a like committee from the House to confer on House amendments to Senate Bill No. 109.

The President Pro Tem appointed the following members:

Senator McKeon, Chairman  
Senator Turnage  
Senator Zody.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Joint Conference Committee Reports to the following Senate Bills and the committees have been dissolved.

Senate Bill No. 127  
Senate Bill No. 182  
Senate Bill No. 214  
Senate Bill No. 377  
Senate Bill No. 447.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 14, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on House Bill No. 357 and a new Conference Committee was appointed.

The President Pro Tem appointed the following members:

Senator Shea, Chairman  
Senator Lowe  
Senator Keenan.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Staigmilller moved that the Speaker appoint a new Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 178 since the Conference Committee previously appointed failed to come to an agreement.

Motion carried.

Fasbender moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on House Amendments to Senate Bill No. 109.

Motion carried.

Fasbender moved that the Speaker appoint new Conference Com-

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mittees to meet with like committees from the Senate on Senate Bill No. 208 and House Bill No. 357 and the previously appointed committees be dissolved.

Motion carried.

Fasbender moved that the Conference Committee on Senate Bill No. 431 be dissolved and that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 431.

Motion carried.

Fasbender moved that the Conference Committees on Senate Bill No. 124 and House Bill No. 211 be dissolved and that the Speaker appoint new Free Conference Committees to meet with like committees from the Senate on said bills.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 612, introduced by R. Harper, Hall, Hager, Turman, Lee, Baucus, McKittrick, Murphy, Quilici, Regan, Stoltz, Fleming, Greely, Menahan, Lombardi, Lynch, Healy, Bennetts, Edland, Brand, Fasbender, Bardanouve, Swanberg, Towe, Bell, Warfield, Holmes, Gunderson, Kosena, Johnston, Jacobsen, Manuel, Colberg, Hodges, Kimble, Bradley, Roberts, Driscoll, Mehrens, Brown, Staigmiller: A bill for an act entitled: "An act providing for small claims courts, providing for the procedures therefor and the limits of jurisdiction thereof, providing for the appointment of officers and judges thereof and for the salaries and duties thereof." Referred to Committee on Judiciary.

House Bill No. 613, introduced by Committee on Local Government: A bill for an act entitled: "An act to create a law enforcement fund within the county budget system and to provide a revenue source for the fund." Referred to Committee on Local Government.

House Bill No. 614, introduced by Marbut, Fasbender: A bill for an act entitled: "An act to appropriate moneys for support of school district special education programs for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 615, introduced by Barrett, Asbjornson, Lynch, Marks, Gunderson, Yardley, Hubing, East, Kvaalen, Cox, Lucas, Ulmer, Aageson, Forsgren, Warfield, Cotton, Zimmer, Hageman, Johnston, Kosena, Tierney, Murphy, Olson: A bill for an act entitled: "An act exempting certain general fund budget expenditures in excess of the general fund budgetary increase limitations of Section 75-6923, R.C.M. 1947, subject to approval of the superintendent of public instruction." Referred to Committee on Education.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Cox in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That Senate Bill No. 40 be concurred in (72-14).

That Senate Bill No. 51 be amended in Section 13, page 6, by deleting lines 14, 15 and 16 in their entirety (74-17),

And, as amended, be concurred in (91-1).

That Senate Bill No. 254 be concurred in (68-15).

That House Bill No. 600 be passed for the day.

That House Bill No. 611 do not pass (50-45).

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Cox in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 30 be adopted (70-0).

That House Resolution No. 32 be adopted (65-3).

That House Resolution No. 37 be adopted (79-3).

That Senate Bill No. 472 be concurred in (77-13).

That Senate Amendments to House Bill No. 334 be not concurred in (86-0).

That Senate Amendments to House Bill No. 532 be concurred in (82-0).

That Senate Amendments to House Bill No. 578 be concurred in (67-18).

That the Committee rise and report.

COX, Chairman

Report adopted.

## HOUSE RESOLUTION NO. 30

Introduced by Kendall, Roberts, Healy, Baeth, Lee, Menahan, Kessner, Bradley, Sheldon, Lynch, Quilici, Mehrens, Lombardi, Kosená, Flynn, Gunderson, Hodges, Baucus, Kimble, Colberg.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO



## REINSTATE LETTERS OF FEASIBILITY TO PERMIT COMPLETION OF SECTION 236 SENIOR CITIZENS' APARTMENT PROJECTS.

WHEREAS, the Montana office of the Department of Housing and Urban Development, after careful processing of the detailed and lengthy applications for FHA insured loans for the Thompson Falls Lions Manor at Thompson Falls, Grand View Plaza at Great Falls, Columbus Plaza at Butte, and Darlington Manor at Bozeman had issued letters of feasibility after carefully determining these public housing projects were sound, well-developed, and completely justifiable, and

WHEREAS, these projects will provide facilities for senior citizens over sixty-two (62) years of age of a nature not currently available and fill a need in providing housing for widows who no longer desire or are able to maintain individual dwellings, and

WHEREAS, our federal government has made a legal and moral commitment for FHA-insured loans for these projects, and

WHEREAS, the popularity and complete desirability of these projects is shown by the fact that all of the currently operating Section 236 senior citizens' apartment projects in the State of Montana have a waiting list of senior citizen applicants, and

WHEREAS, these projects are nonprofit and sponsored by local units of recognized national organizations.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Secretary of the Department of Housing and Urban Development is strongly requested to reinstate those letters of feasibility so urgently needed in order to complete the projects at Thompson Falls, Great Falls, Butte, and Bozeman.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Secretary of the Department of Housing and Urban Development.

—END—

## HOUSE RESOLUTION NO. 32

Introduced by Driscoll, Roberts, Mehrens, Marbut.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE ADMINISTRATOR OF SOCIAL AND REHABILITATIVE SERVICES OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE TO RECONSIDER THE NEW REGULATIONS GOVERNING ASSISTANCE TO MENTALLY RETARDED PERSONS.

WHEREAS, the House of Representatives of the State of Montana acknowledges the administration's concern over growing costs of government, and the increasing importance and need of social programs; and

WHEREAS, in the last session, Congress limited expenditures for the social services program to \$2.5 billion to be allotted to the states on the basis of population; and

WHEREAS, the new regulations of the social and rehabilitative services division of the department of health, education and welfare will hold spending far below that level by limiting eligibility and by other barriers to effective use of social services funds; and

WHEREAS, Congress specifically exempted mentally retarded persons from the requirement that ninety percent (90%) of the clients must be current welfare recipients since many mentally retarded citizens are not on welfare rolls but are often placed in dehumanizing institutions or can become an unconscionable burden upon their families; and

WHEREAS, the new regulations may subvert the intent of Congress; and

WHEREAS, in 1971 the President challenged the states to return one-third (1/3) of their institutionalized retarded citizens back to their home communities by 1980; and

WHEREAS, by 1973, Montana has reduced the resident population at the Boulder River School and Hospital by twenty-six percent (26%), by returning substantial numbers of persons to their home communities; and

WHEREAS, the new regulations have drastically reduced the funds necessary to accomplish this goal; and

WHEREAS, a family can remain intact at minimal cost contrasted to the cost to the state of five thousand dollars (\$5,000) a year to maintain one (1) child in an institution; which adds up to two hundred fifty thousand dollars (\$250,000) for a person who remains institutionalized for fifty (50) years; and

WHEREAS, the new regulations prohibit the use of local, private contributions as matching money, thereby eliminating one very meaningful source of matching dollars; and

WHEREAS, this prohibition will force an added tax burden upon the counties, or will force the state to carry the whole burden.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That this house protests the recent changes and requests the President of the United States and the administrator of the social and rehabilitative services, department of health, education and welfare, to reconsider the new regulations governing the provisions of social services under the Social Security Act, titles I, IVA, X, XIV, XVI; and to reinstate the former regulations.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to Mr. Richard M. Nixon, President of the United States, members of the Montana Congressional delegation, and Mr. Philip J. Rutledge, Acting Administrator of Social and Rehabilitative Services, Department of Health, Education, and Welfare.

—END—

#### HOUSE RESOLUTION NO. 37

Introduced by Haines, Prevost, Kosena, Asbjornson, Nichols, Holtz, Regan, Lynch, Manuel, Johnston, Lund, East, Fleming, Gerke, Hall.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING FRANCIS BARDANOUE TO PRESENT A SILVER INLAID SADDLE TO HIS GRANDSON IN TOKEN OF HIS LOVE AND AFFECTION.

WHEREAS, Representative Bardanouve has presented his grandson with a pony; and

WHEREAS, a young horseman needs a saddle for his spirited steed; and

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WHEREAS, no horse receives a finer reward than a silver mounted saddle for excellent service; and

WHEREAS, a grandfather and a grandson are special friends; and

WHEREAS, the chairman of finance and claims is known for generosity which knows no bounds; and

WHEREAS, Francis Bardanouve is known for his charm and beguiling ways.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That Francis Bardanouve is directed to give a silver inlaid saddle to his grandson to complement the pony he gave last year.

—END—

## MOTIONS AND RESOLUTIONS

Fasbender moved that Rules be suspended and place all bills on Second Reading this day on Third Reading.

Motion carried.

## REPORTS OF STANDING COMMITTEES

March 15, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 472, respectfully report as follows: That Senate Bill No. 472 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 15, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 be amended on page 3, Section 2, lines 19 and 20 of the Third Reading Bill and the Original after the words "board of" by deleting the words "[teachers' and public employees']",

And, as amended, do pass.

HALL, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

March 15, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 613, respectfully report as follows: That House Bill No. 613 do pass.

KOSENSA, Chairman

Report adopted.

March 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 146.

QUILICI, Chairman

March 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 583.

QUILICI, Chairman

March 15, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 586.

QUILICI, Chairman

March 15, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 17, 68, 107, 127, 214, 241, 256, 303, 310, 335, 440, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:45 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 480 introduced by me and find the same to be correct.

REGAN

I have examined House Bill No. 456 introduced by me and find the same to be correct.

LEE

I have examined House Bill No. 442 introduced by me and find the same to be correct.

FORSGREN

I have examined House Bill No. 441 introduced by me and find the same to be correct.

LEE

I have examined House Bill No. 406 introduced by me and find the same to be correct.

EDLAND

I have examined House Bill No. 396 introduced by me and find the same to be correct.

TOWE

I have examined House Bill No. 394 introduced by me and find the same to be correct.

LAAS

I have examined House Bill No. 338 introduced by me and find the same to be correct.

EAST

I have examined House Bill No. 283 introduced by me and find the same to be correct.

COTTON

I have examined House Bill No. 260 introduced by me and find the same to be correct.

COTTON

I have examined House Bill No. 146 introduced by me and find the same to be correct.

HAGEMAN

I have examined House Bill No. 128 introduced by me and find the same to be correct.

YARDLEY

I have examined House Bill No. 108 introduced by me and find the same to be correct.

FASBENDER



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I have examined House Bill No. 50 introduced by me and find the same to be correct.

SWANBERG

I have examined House Bill No. 118 introduced by me and find the same to be correct.

KENDALL

I have examined House Bill No. 16 introduced by me and find the same to be correct.

SHELDEN

I have examined House Joint Resolution No. 18 introduced by me and find the same to be correct.

TOWE

The Speaker signed in open session the following bills; House Bills Nos. 480, 456, 442, 441, 406, 396, 394, 338, 283, 260, 146, 128, 108, 50, 118, 16 and House Joint Resolution No. 18.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and place Senate Bill No. 472 on Second Reading this day.

Motion carried.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 183 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Roberts, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Edland, Glennen, Lynch, Manuel. Total 4.

Senate Bill No. 454 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens,

Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Barrett, Burnett, Hager, Holtz, Rolfe, Seifert, Smith, Turner, Walborn. Total 9.

Excused: Lundgren. Total 1.

Absent or not voting: Edland, Ellerd, Galt, Glennen, Jones, Lynch, Manuel. Total 7.

Senate Bill No. 455 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Ageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Cox, East, Galt, Hager, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Marks, Rolfe, Seifert, Selstad, Smith, Turner, Walborn. Total 23.

Excused: Lundgren. Total 1.

Absent or not voting: Glennen Holmes, Lynch, Manuel. Total 4.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Greely, Hageman, Haines, Hall, Halvorson, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: Ageson, Asbjornson, Burnett, Campbell, Castles, Clemow, Cox, East, Flynn, Gunderson, Hager, H. Harper, R. Harper, Hodges, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Mercer, Rolfe, Selstad, Smith, Turner, Ulmer, Walborn. Total 27.

Excused: Lundgren. Total 1.

Absent or not voting: Glennen, Lynch, Manuel. Total 3.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Lundgren. Total 1.

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Absent or not voting: Glennen, Lynch, Manuel, Turner, Marks. Total 5.

Senate Bill No. 254 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lombardi, Lucas, McKittrick, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Asbjornson, Brand, Burnett, Campbell, Castles, Clemow, R. Harper, Jacobsen, Johnston, Jones, Kolstad, Laas, Lien, Lockrem, Lund, Mehrens, Menahan, Selstad, Smith, Turner, Walborn. Total 21.

Excused: Lundgren. Total 1.

Absent or not voting: Edland, Ellerd, Glennen, Hall, Hubing, Lynch, Manuel. Total 7.

Senate Bill No. 472 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Brown, Burnett, Campbell, Ellerd, Galt, Hager, Hubing, Kvaalen, Lockrem, Marks, Rolfe, Seifert, Smith, Walborn. Total 14.

Excused: Lundgren. Total 1.

Absent or not voting: Glennen, Lynch, Manuel. Total 3.

Senate Amendments to House Bill No. 532 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Marbut, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Glennen, Haines, Hubing, Johnston, Lynch, McKittrick, Manuel, Marks, Mehrens, Schye, Selstad, Ulmer, Yardley. Total 13.



Senate Amendments to House Bill No. 578 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Asbjornson, Barrett, Burnett, East, Galt, Hubing, Jones, Kvaalen, Marks, Prevost, Rolfe, Schye, Smith, Walborn. Total 14.

Excused: Lundgren. Total 1.

Absent or not voting: Ellerd, Glennen, Lynch, Manuel, Selstad, Zimmer. Total 6.

### THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 593 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Glennen, Lynch, Manuel. Total 3.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 334.

Motion carried.

Fasbender moved that House Bill No. 600 be taken from Second Reading and be returned to Committee on Natural Resources.

Motion carried.

The Speaker appointed the following Conference Committees:

Conference Committee on Senate Bill No. 208: Shelden, chairman; Gunderson, Schye.

Free Conference Committee on Senate Bill No. 124: McKittrick, chairman; Bennetts, Marbut.



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Free Conference Committee on Senate Bill No. 431: Prevost, chairman; Hageman, Bell.

Conference Committee on House Bill No. 357: Lee, chairman; Baeth, Ageson.

Conference Committee on House Amendments to Senate Bill No. 178: Healy, chairman; Hodges, Mercer.

Conference Committee on House Amendments to Senate Bill No. 109: Hall, chairman; Baucus, Lucas.

Free Conference Committee on House Bill No. 211: Towe, chairman; Greely, Lucas.

Fasbender moved that the House adjourn until 1:30 p.m., March 16, 1973.

Motion carried.

House adjourned.

ED SMITH, Chief Clerk

HAROLD E. GERKE, Speaker

FIFTH SPECIAL SESSION LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 16, 1973

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On Roll Call all members present except Lundgren, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourth Legislative Day, Special Session, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 16, 1973

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations having had under consideration House Resolution No. 36, respectfully report as follows: That House Resolution No. 36 be amended on page 1, line 17, of the original bill by adding an "s" on the word "person" and

Further amend on page 3, line 3, of the original bill after the words "sent to" add the following language "President Richard M. Nixon,"

And as amended, do pass.

LOMBARDI, Chairman

Report adopted.

March 16, 1973

Mr. Speaker: We, your Committee on Highways and Transportation,

having had under consideration House Resolution No. 31, respectfully report as follows: That House Resolution No. 31 do pass.

LAAS, Chairman

Report adopted.

March 16, 1973

Mr. Speaker: We, your Committee on Rules having had under consideration the introduction and consideration of bills and resolutions recommend the following: That all House Bills and Resolutions and Senate Bills and Resolutions received by the Senate subsequent to the 60th legislative day may be reviewed by the Rules Committee prior to referral to a committee.

Be adopted.

FASBENDER, Chairman

Report adopted.

March 16, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill 198 be not concurred in.

LAAS, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Galt, Greely, H. Harper, Marbut. Total 4.

Excused: Lundgren. Total 1.

Absent or not voting: Bardanouve, Brown, Driscoll, Edland, Ellerd, Haines, Huennekens, Kimble, Lund, Roberts, Stoltz, Towe, Zimmer. Total 13.

## REPORTS OF SELECT COMMITTEES

March 13, 1973

Senate Bill 23

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 23, beg leave to report as follows:

That we met Tuesday, March 13 and considered House Committee on Judiciary amendments of February 28, 1973 to Senate Bill No. 23. This Joint Conference Committee recommends as follows:

That the House recede from all of the House Committee on Judiciary amendments of February 28, 1973.

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That Senate Bill No. 23 be concurred in without the House Committee on Judiciary amendments.

FOR THE HOUSE:  
ROBERTS  
GREELY  
LUCAS

FOR THE SENATE:  
TURNAGE  
HALL  
HARRISON

Greely moved for adoption of the Conference Committee report and that the committee be dissolved.

As a substitute motion, Towe moved that the Conference Committee report be not adopted, that the committee be dissolved and that the Speaker appoint a new conference committee.

The substitute motion failed by the following vote:

Ayes: Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Fagg, Hager, Healy, Hodges, Holmes, Hubing, Huenekens, Jones, Kimble, Lien, Lockrem, Lombardi, Lund, McKittrick, Marbut, Mercer, Murphy, Norman, Seifert, Tierney, Towe, Turman, Turner, Zimmer. Total 34.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lucas, Lynch, Manuel, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Excused: Lundgren. Total 1.

Absent or not voting: Bardanouve, Edland, Halvorson, Nichols, Schye. Total 5.

The Conference Committee Report was then adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bell, Bennetts, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lucas, Lund, Lynch, Manuel, Marks, Mehrens, Menahan, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Colberg, Cotton, Hager, Healy, Huenekens, Kendall, Lien, Lombardi, McKittrick, Marbut, Mercer, Murphy, Norman, Tierney, Towe, Zimmer. Total 22.

Excused: Lundgren. Total 1.

Absent or not voting: Brown, Edland, Ellerd, Halvorson, Lockrem, Schye. Total 6.

March 15, 1973

Senate Bill No. 129

## JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 129, third reading, blue copy bill, beg leave to report as follows:

That we met this day and considered Senate Bill No. 129, third reading, blue copy bill, and recommend as follows:

That Senate Bill No. 129, third reading, blue copy bill, be amended on page 1, lines 20 and 21, after "exceed" and before "the" by striking the material sixty six and two-thirds percent (66⅔%) and inserting in lieu thereof the following material: one hundred ten dollars (\$110) beginning July 1, 1973. Beginning July 1, 1974, the maximum weekly compensation benefits shall not exceed

And that Senate Bill No. 129, as so amended, be concurred in.

FOR THE HOUSE:

BAETH  
BAUCUS  
TURMAN

FOR THE SENATE:

McKEON  
GOODHEART

Baeth moved for adoption of the Conference Committee report and that the Committee be dissolved.

As a substitute motion, East moved that the Conference Committee report be not adopted and that the committee be dissolved and that the Speaker appoint a new Conference Committee.

The substitute motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, East, Ellerd, Forsgren, Galt, Glennen, Hager, Halvorson, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn. Total 36.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 59.

Excused: Lundgren. Total 1.

Absent or not voting: Haines, Lucas, Prevost, Warfield. Total 4.

Thereupon, the Conference Committee report was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Nichols, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 69.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Castles, Galt, Glennen, Hager, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Walborn. Total 22.

Excused: Lundgren. Total 1.

Absent or not voting: Burnett, East, Ellerd, Haines, Halvorson, Prevost, Schye, Turner. Total 8.



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March 14, 1973

Senate Bill No. 447

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 447, beg leave to report as follows:

That we met Wednesday, March 14th and considered House Committee on Labor and Employment Relations amendments to Senate Bill No. 447. The Joint Conference Committee recommends as follows:

That the House recede from paragraphs one, two, and three of the House Committee on Labor and Employment Relations amendments dated March 5, 1973 to Senate Bill No. 447 and the Joint Conference Committee further recommends the bill be amended as follows:

Amend on page 1, in the title, lines 6 through 9, by reinserting the stricken material through the word "COSTS"

And further amend on page 1, in the title, line 8, after the word "costs" by striking the rest of line 8, and all of lines 9, 10 and 11.

And further that the Senate accede to paragraph four of the House Committee on Labor and Employment Relations Amendments but that the Joint Conference Committee recommends that Section 1, be further amended on line 16 and line 17, page 1 by striking the word and figure "ten (10)" and inserting in lieu thereof the word and figure "thirty (30)"

And further that the Senate accede to paragraph five, six and seven;

And that Senate Bill No. 447 as so amended, be concurred in.

FOR THE HOUSE:  
McKITTRICK  
LOMBARDI  
EAST

FOR THE SENATE:  
SHEA  
BENNETT

McKittrick moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Glennen, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 84.

Noes: Rolfe, Ulmer. Total 2.

Excused: Lundgren. Total 1.

Absent or not voting: Brown, Burnett, Hubing, Galt, Jones, Lien, Lucas, Lynch, Manuel, Nichols, Prevost, Roberts, Yardley. Total 13.

## REPORTS OF STANDING COMMITTEES

March 16, 1973

Mr. Speaker: We, your Committee on Finance and Claims having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be amended and that the Senate Third Reading Bill be amended as follows:

Further amend on page 5, section 13, line 20 by striking the figures "[85,000]" and "[95,000]" and inserting in lieu thereof the following figures "110,000" and "120,000";

Further amend on page 5, section 13 by inserting following line 20 the following material:

"From the Federal and Private Revenue Fund, Environmental Quality Council. All available funds are hereby appropriated."

Further amend on page 5, section 13 by inserting following line 25 the following material:

## "CONSUMERS COUNSEL

From the Earmarked Revenue Fund

Consumers Counsel Account

80,000

80,000";

Further amend on page 6, section 13, line 16 by striking the figures "[292,844]" and "[302,525]" and inserting in lieu thereof the following figures "272,899" and "281,705";

Further amend on page 7, section 13, line 1 by striking the figures "[79,031]" and "[80,300]" and inserting in lieu thereof the following figures "66,293" and "67,648";

Further amend on page 7, section 13, line 4 by striking the figures "[182,272]" and "[183,073]" and inserting in lieu thereof the following figures "164,772" and "168,873";

Further amend on page 7, section 13, line 17 by striking the figures "[42,720]" and "[44,120]" and inserting in lieu thereof the following figures "34,580" and "35,580";

Further amend on page 10, section 13, line 12 by striking the figures "[280,615]" and inserting in lieu thereof the following figure "276,115";

Further amend on page 10, section 13, line 15 by striking the figures "[16,683]" and "[17,267]" and inserting in lieu thereof the following figures "16,183" and "16,767";

Further amend on page 10, section 13, line 17 by striking the figures "[362,163]" and "[316,597]" and inserting in lieu thereof the following figures "354,113" and "312,397";

Further amend on page 10, section 13, line 21 by striking the figures "[744,195]" and "[769,462]" and inserting in lieu thereof the following figures "654,818" and "691,081";

Further amend on page 11, section 13, line 3 by striking the figures "[1,412,623]" and "[1,202,034]" and inserting in lieu thereof the following figures "972,696" and "849,385";

Further amend on page 11, section 13, line 10 by striking the figures "[317,026]" and "[293,067]" and inserting in lieu thereof the following figures "297,826" and "284,667";

Further amend on page 11, section 13, line 17 by striking the figures "[117,191]" and "[126,699]" and inserting in lieu thereof the following figures "98,176" and "104,349";

Further amend on page 11, section 13, line 20 by striking the figures "[100,244]" and "[131,607]" and inserting in lieu thereof the following figures "80,000" and "85,000";

Further amend on page 12, section 13, line 2 by striking the figures "[25,000]" and "[50,000]" and inserting in lieu thereof the following figures "15,000" and "20,000";

Further amend on page 12, section 13, by striking all the material in lines 7, 8, 9, 10, and 11 in their entirety;

Further amend on page 12, section 13, line 15, by striking the figures "[91,675]" and "[98,837]" and inserting in lieu thereof the following figures "80,000" and "80,000";

Further amend on page 12, section 13, line 22 by striking the figures "[103,125]" and "[117,188]" and inserting in lieu thereof the following figures "100,000" and "100,000";

Further amend on page 8, section 13, line 7 by striking the figures "[236,940]" and "[246,614]" and inserting in lieu thereof the following figures "386,940" and "396,614";

Further amend on page 1, Section 1, line 21, after the word "bureau" by inserting the words and punctuation: "for executive branch agencies; approval by the chief justice of the supreme court for judicial branch agencies; and approval by the respective legislative committees for legislative branch agencies,";

Further amend on page 3, Section 5, line 6, after the word "Each" by inserting the words "executive branch";

Further amend on page 3, Section 6, line 18, after the word "by" by striking the remainder of line 18 and all of lines 19 and 20 and inserting in lieu thereof the words and punctuation "means of an approved budget amendment.";

Further amend on page 4, Section 8, line 11, after the word "by" by striking the remainder of line 11 and all of line 12, and inserting in lieu thereof the words and punctuation "means of an approved budget amendment.";

Further amend on page 5, Section 11, line 6, after the word "the" by striking the remainder of line 6 and all of line 7 and inserting in lieu thereof the following new material: "legislative auditor for the legislative audit program that amount that state agency heads agree to provide for audits from their available non-general fund resources.";

Further amend on page 5, Section 13, following line 23, being page 5, following line 22 of the original bill, by inserting the following new material: "Members of the legislative audit committee shall be reimbursed from the appropriation to the legislative auditor for their actual expenses incurred as a result of interim meetings, and paid mileage and compensation as provided by law for interim standing committees.";

Further amend on page 6, Section 13, line 4, being page 6, line 3 of the original bill, by striking the figures "[237,185]" and "[238,194]" and inserting in lieu thereof the figures "257,185" and "258,194";

Further amend on page 7, Section 13, by striking all the material in lines 7, 8, and 9, being page 7, lines 3, 4, and 5 of the original bill;

Further amend on page 8, Section 13, following line 7, being page 7 following line 24 of the original bill, by inserting the following new material:

"From General Fund	100,000	100,000
This appropriation shall be expended only if federal		

moneys for administrative costs are not received. If a portion of those federal funds are received, this appropriation will be reduced in proportion to the amount of federal funds received.”;

Further amend on page 12, Section 13, by striking all the material in lines 7 through 11, being lines 23 through 25 on page 11 and lines 1 and 2 on page 12 of the original bill.

And as amended, be concurred in.

BARDANOUE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

March 16, 1973

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 606, respectfully report as follows: That House Bill No. 606 do not pass.

HALL, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Fleming, Driscoll, Edland, Fasbender, Forsgren, Glennen, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 81.

Noes: Bennetts, Greely, Tierney. Total 3.

Excused: Lundgren. Total 1.

Absent or not voting: Brand, East, Ellerd, Fagg, Flynn, Galt, Gunderson, Lien, Lucas, Lynch, Nichols, Norman, Roberts, Yardley, Zimmer. Total 15.

March 16, 1973

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 be held over until the Second Half of the 43rd Legislative Session in January, 1974, and that this bill be studied in the interim and a priority requested from the joint committee.

SHELDEN, Chairman

Report adopted.

March 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 26, 320, 372, 367, 205, 265, and House Resolutions Nos. 12, 26, 21, 15, 22, 25, 19, 20, 23.

FLEMING, Vice Chairman

## MESSAGES FROM THE GOVERNOR

March 15, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:



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House Joint Resolutions No.: 5, 14, 16, 21, and 22.

House Bills No.: 13, 18, 60, 61, 84, 85, 99, 110, 126, 143, 167, 168, 196, 204, 238, 249, 277, 296, 329, 346, 352, 402, 404, 420, 455, 543, 548, and 549.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 16, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills No. 127, 142 and 144.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 16, 1973

Honorable Bill Christiansen  
President of the Senate  
State Capitol

Honorable Harold Gerke  
Speaker of the House of Representatives  
State Capitol

Sirs:

In exercising the constitutional powers granted me as the Governor of Montana, I hereby veto House Bill No. 105, "an act to amend Section 19-107, R.C.M. 1947, changing the official dates of the Veterans' and Memorial Day holidays." I exercise this veto for several reasons.

First, the Congress of the United States has already declared by law that the major American holidays should be celebrated by all Americans on the same day. By signing House Bill No. 105, that federal policy would be directly contravened.

Second, I believe that it is in the best interests of state government to celebrate the major American holidays on the same day that all other state and federal governmental entities honor the great events in American history. If we are truly interested in efficient state government, then we should not require state employees to work on those days when the rest of the nation is at rest. Conversely, we should not close down state government when the rest of the nation is at work.

Furthermore, the provisions of this measure would result in considerable confusion for the business community. Financial institutions, retail and wholesale outlets and schools would be placed in the dilemma of deciding when to close or whether to close at all in observance.

Finally, I have vetoed House Bill No. 105 because I believe that no greater honor can be bestowed upon our deceased and living veterans than to have

the entire nation pause in unison to remember the soldier's contribution to American heritage.

Sincerely,

THOMAS L. JUDGE  
Governor

### MOTIONS AND RESOLUTIONS

Turman, having voted on the prevailing side of the previous sitting in failing to adopt House Bill No. 611 on Second Reading, moved that the House reconsider its action.

Ulmer moved the previous question.

Motion carried.

Thereupon, the motion to reconsider carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 616 introduced by Kimble, R. Harper: A bill for an act entitled: "An act to regulate consumer reporting agencies operating in Montana." Referred to Committee on Judiciary.

House Resolution No. 38 introduced by Bardanouve: A resolution of the House of Representatives of the State of Montana amending the Joint House and Senate rules to delete the requirement that bills be read by history and section in the committee of the whole.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Lynch in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading recommend as follows:

That House Bill No. 586 be amended on page 1, line 10 of the title, following the stricken material "twenty-five cents (25¢)" by deleting the words and figures "fifteen cents (15¢)" and inserting in lieu thereof the words and figures "eighteen cents (18¢)";

Further amend the title, lines 12 and 13, following the stricken material "ten cents (10¢)" by deleting the words and figures "four and one half cents (4½¢)" and by inserting in lieu thereof the words and figures "six cents (6¢)". (52-41)

Further amend Section 1, page 2, line 5, following the stricken material "twenty-five cents (25¢)" by deleting the words and figures "fifteen cents (15¢)" and inserting in lieu thereof the words and figures "eighteen cents (18¢)".

Further amend Section 1, page 2, line 7, before the word "per" by de-

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leting the words and figures "four and one-half cents ( $4\frac{1}{2}\phi$ )" and by inserting in lieu thereof the words and figures "six cents ( $6\phi$ )". (52-36)

And as amended, do pass (57-33).

That House Resolution No. 35 be adopted (83-0).

That Senate Bill No. 396 be concurred in (74-3).

That House Bill 611 be amended in page 1, lines 18 through 20, Second Reading bill by striking in line 18 the words "[consistent with]" and striking all of lines 19 and 20 except the "." on line 20 and amend the title by putting a period "." on line 7, page 1, after the word "athletes" and striking the remainder of the title thereafter. (79-2).

Further amend in line 16, by adding at the end of the bill the following, "nor may such additional waivers exceed an additional one-half of one percent of the full-time equivalent enrollment at that unit." (60-36).

And as amended, do pass (56-42).

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

LYNCH, Chairman

Report adopted.

### REPORTS OF STANDING COMMITTEES

March 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 613.

QUILICI, Chairman

March 16, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 37 and House Bills Nos. 373 and 513.

FLEMING, Vice Chairman

I have examined House Bill No. 513 introduced by me and find the same to be correct.

FASBENDER

I have examined House Bill No. 373 introduced by me and find the same to be correct.

EDLAND

I have examined House Bill No. 372 introduced by me and find the same to be correct.

BENNETTS

I have examined House Bill No. 367 introduced by me and find the same to be correct.

REGAN

I have examined House Bill No. 320 introduced by me and find the same to be correct.

FAGG

I have examined House Bill No. 265 introduced by me and find the same to be correct.

JACOBSEN

I have examined House Bill No. 205 introduced by me and find the same to be correct.

JOHNSTON

I have examined House Bill No. 26 introduced by me and find the same to be correct.

AINSWORTH

I have examined House Joint Resolution No. 26 introduced by me and find the same to be correct.

COTTON

I have examined House Joint Resolution No. 25 introduced by me and find the same to be correct.

MURPHY

I have examined House Resolution No. 23 introduced by me and find the same to be correct.

TIERNEY

I have examined House Resolution No. 22 introduced by me and find the same to be correct.

ZIMMER

I have examined House Resolution No. 21 introduced by me and find the same to be correct.

ASBJORNSON

I have examined House Resolution No. 20 introduced by me and find the same to be correct.

FLYNN

I have examined House Resolution No. 15 introduced by me and find the same to be correct.

BENNETTS

I have examined House Resolution No. 12 introduced by me and find the same to be correct.

ZIMMER

I have examined House Joint Resolution No. 37 introduced by me and find the same to be correct.

LIEN

The Speaker signed the following bills in open session: House Bills Nos. 513, 373, 372, 367, 320, 265, 205, 26, House Resolutions Nos. 26, 25, 23, 22, 21, 20, 15, 12 and House Joint Resolution No. 37.

#### HOUSE RESOLUTION NO. 35

Introduced by Lucas, Ulmer, Schepens.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE ARMY CORPS OF ENGINEERS AND OTHER FEDERAL AGENCIES TO CONSTRUCT LEVEES OR DIKES TO PROTECT THE CITY OF MILES CITY, MONTANA FROM PERIODIC FLOODING.

WHEREAS, the City of Miles City is located at the confluence of the Tongue and Yellowstone Rivers in Montana and has been exposed to and has suffered heavy damage from the flood waters of these rivers, and

WHEREAS, rampaging floods and ice jams from the Tongue and Yellowstone River, unless controlled and contained, will continue to damage property and endanger the safety and lives of the residents of the Miles City area, and

WHEREAS, the City of Miles City and the county of Custer have made



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application under appropriate federal laws and programs, to the U. S. Army Corps of Engineers and other federal agencies, for assistance in designing and constructing levees or dikes to prevent and minimize the flooding conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the appropriate federal agencies, including the U.S. Army Corps of Engineers, are hereby requested to expedite all efforts to undertake and complete the construction of protective dikes or levees, and to rapidly initiate any other action as they consider appropriate to prevent flooding and provide protection for the people and property of the area in and about Miles City.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the U.S. Army Corps of Engineers and other appropriate federal agencies, to United States Senators Mike Mansfield and Lee Metcalf, and United States Representatives John Melcher and Richard Shoup, and to the Mayor of Miles City, and to the County Commissioners of Custer County, Montana.

—END—

REPORTS OF SELECT COMMITTEES

March 15, 1973

House Bill No. 211

FREE JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on House Bill No. 211, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and Claims Amendment dated February 28, 1973, to House Bill No. 211 and recommend as follows:

That the Senate recede from the Senate Committee on Finance and Claims amendment, and

That House Bill No. 211 be amended as follows: amend the title of the blue House bill, on lines 9 and 10 by striking the words, figures and punctuation "[thirteen thousand dollars (\$13,000)]" and inserting in lieu thereof the words, figures and punctuation "twelve thousand dollars (\$12,000)";

And further amend Section 1, subsection (2), line 10 of the blue House bill by striking the words, figures and punctuation "[thirteen thousand dollars (\$13,000)]" and inserting in lieu thereof the words, figures and punctuation "twelve thousand dollars (\$12,000)";

And further amend page 2, Section 1, subsection (2), line 25 of the blue House bill by striking the words and figures, "[ninety per cent (90%)]" and inserting in lieu thereof the words and figures "eighty-five per cent (85%)".

That House Bill No. 211 be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE HOUSE:  
TOWE  
GREELY  
LUCAS

FOR THE SENATE:  
VAINIO  
SORENSEN  
HIMSL

Towe moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towt, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Bardanouve, Rolfe, Smith, Walborn: Total 4.

Excused: Lundgren. Total 1.

Absent or not voting: Bennetts, Castles, Cotton, East, Ellerd, Forsgren, Glennen, Kimble, Lien, Mercer, Prevost, Quilici, Schye, Zimmer. Total 14.

March 16, 1973

House Bill No. 220

# JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 220, beg leave to report as follows:

That we met this day and considered Senate Committee on Education Amendments to House Bill No. 220 dated March 8, 1973 and recommend as follows:

That the amendment to Section 3, subsection (a), page 5, lines 15 and 16 of the House Third Reading Bill be amended by striking "five and one-eighth percent (5 1/8 %)" [this being "five percent (5%) in the Third Reading Bill] and inserting in lieu thereof the words and figures "five and one-sixteenth percent (5 1/16 %)".

That the amendment to Section 3, subsection (3a), page 8, line 11 of the Third Reading Bill be amended by striking "five and one-fourth percent (5 1/4 %)" [this being "five and three-eighths percent (5 3/8 %)" in the Third Reading Bill] and inserting in lieu thereof the words and figures "five and five-sixteenths percent (5 5/16 %)".

And as so amended be concurred in.

FOR THE HOUSE:  
GUNDERSON  
COTTON

FOR THE SENATE:  
GILFEATHER  
BREEDEN  
SHEA

Gunderson moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, McKittrick, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens,

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Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Bardanouve, Barrett, Brand, Burnett, Flynn, Kosena, Lund, Lynch, Mehrens, Menahan, Rolfe, Tierney, Turman. Total 13.

Excused: Lundgren. Total 1.

Absent or not voting: Bennetts, Bradley, Driscoll, East, Ellerd, Haines, Kimble, Manuel, Quilici, Zimmer. Total 10.

March 16, 1973

House Bill No. 357

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 357, beg leave to report as follows:

That we met this day and considered Senate Committee on Labor and Employment Relations amendments to House Bill 357 dated March 6, 1973 and recommend as follows:

That the House accede to the Senate Committee on Labor and Employment Relations amendments to House Bill No. 357;

And that House Bill No. 357 as so amended, be concurred in.

FOR THE HOUSE:

LEE

BAETH

AAGESON

FOR THE SENATE:

SHEA

LOWE

KEENAN

Lee moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Burnett, Cox, Ellerd, Haines, Hall, Kendall, Kolstad, Murphy, Quilici, Zimmer. Total 10.

House Bill No. 368

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint House and Senate Conference Committee having had under consideration Senate Committee on Judiciary amendment to House Bill No. 368, beg leave to report as follows:

That the House accede to the proposed Committee on Judiciary amendment to House Bill No. 368, dated March 3, 1973, and the Joint Conference Committee recommends the bill be amended as follows:

Amend line 4 of the Senate amendment by deleting the word "requiring" and inserting in lieu thereof the word "permitting"

And further amend line 5 of the Senate amendment by deleting therefrom the following words "and establishing procedures therefore"

And further amend Section 1 of the Senate amendment by striking all material after "Section 1" and inserting in lieu thereof the following: "All applicants for a Montana retail liquor or beer license, including corporate officers, may be required by the Department of Revenue, when applying for said license to have their fingerprints taken for use in determining the eligibility of the applicant for such license."

And further amend the first line of Section 2 of the Senate amendment by after the word "shall" and before the word "apply" by inserting the word "also"

That House Bill No. 368 be concurred in, as so amended.

FOR THE HOUSE:  
YARDLEY  
SCHYE  
TOWE

FOR THE SENATE:  
McGOWAN  
MOORE  
SORENSEN

Yardley moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mercer, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Hall, Lombardi, Lynch, Mehrens, Menahan, Warfield. Total 7.

Excused: Lundgren. Total 1.

Absent or not voting: Burnett, Ellerd, Haines, H. Harper, Jones, Kendall, Kolstad, Murphy, Quilici, Tierney, Walborn, Zimmer. Total 12.

March 16, 1973

## HOUSE BILL NO. 463

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 463, beg leave to report as follows:

That we met this day and considered the Senate Committee on Judiciary Amendments to House Bill No. 463 and recommend as follows:

That the House accede to the Senate Committee on Judiciary Amendments dated March 8, 1973, and that the Joint Conference Committee recommends the bill be amended as follows:



Amend the second paragraph of the Senate Committee on Judiciary Amendments to House Bill No. 463 by striking the "period" at the end of the underscored material and inserting a "semi-colon" and adding a new subsection (c) to read as follows:

(c) Such abortion may not be performed after viability of the fetus unless, in appropriate medical judgment the same is necessary to preserve the mother's life."

And that House Bill No. 463, as so amended, be concurred in.

FOR THE HOUSE:  
McKITTRICK  
REGAN

FOR THE SENATE:  
McNAMER  
ZODY

McKittrick moved for adoption of the Conference Committee report and that the committee be dissolved.

As a substitute motion, Hall moved that the report be not adopted.

Haines moved the previous question.

Motion carried.

The substitute motion failed by the following vote:

Ayes: Barданouve, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Flynn, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, Hodges, Holtz, Huennekens, Jacobsen, Kendall, Kimble, Laas, Lien, Marbut, Mercer, Murphy, Norman, Roberts, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 35.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Burnett, Campbell, Clemow, Cox, Driscoll, Fagg, Fashbender, Fleming, Forsgren, Galt, Glennen, Hageman, Haines, Healy, Johnston, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Nichols, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Smith, Staigmilller, Stoltz, Ulmer, Mr. Speaker. Total 47.

Excused: Lundgren. Total 1.

Absent or not voting: Castles, East, Edland, Ellerd, R. Harper, Holmes, Jones, Kessner, Lucas, Lund, Quilici, Selstad, Shelden, Stephens, Walborn, Zimmer. Total 17.

Hall moved, as a substitute motion, that further action be deferred until the next legislative day.

Motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fashbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 77.

Noes: Brand, Fagg, Fleming, Galt, Healy, Johnston, Kosena, Lockrem, Lynch, McKittrick, Manuel, Norman, Prevost, Ulmer, Walborn, Mr. Speaker. Total 16.

Excused: Lundgren. Total 1.

Absent or not voting: Bardanouve, Campbell, Hubing, Quilici, Smith, Zimmer. Total 6.

March 16, 1973

Senate Bill No. 300

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 300, beg leave to report as follows:

That we met this day and considered House Committee on State Administration amendments of March 6, 1973, and House Committee of the Whole amendments of March 9, 1973 to Senate Bill No. 300 and recommend as follows:

That the House recede from the first two of the House Committee on State Administration amendments;

That the Senate accede to all of the remaining amendments of the House Committee on State Administration;

And, also, that the Senate accede to the House Committee of the Whole amendments of March 9, 1973;

And that Senate Bill No. 300, as so amended, be concurred in.

#### FOR THE HOUSE:

BARDANOUE, Chairman  
HAINES  
JACOBSEN

#### FOR THE SENATE:

JAMES, Chairman  
BENNETT  
ROSELL

Bardanouve moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 77.

Noes: None.

Excused: Lundgren. Total 1.

Absent or not voting: Baeth, Bradley, Castles, Colberg, Ellerd, Hageman, Hall, Hubing, Jacobsen, Kimble, Kvaalen, Lien, Mehrens, Norman, Quilici, Selstad, Smith, Stoltz, Turner, Waiborn, Yardley, Zimmer. Total 22.

March 16, 1973

Senate Bill No. 431

### FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on Senate Bill No. 431, beg leave to report as follows:

That we met this day and considered the House Committee on State Ad-

ministration Amendments to Senate Bill No. 431 and recommend as follows:

That the House recede from all amendments to Senate Bill No. 431;

And further that the Free Joint Conference Committee recommends the bill be amended as follows:

Amend page 3, Section 2, line 15 after the word "months" by adding the following language "Persons regularly employed nine or more months each year, but whose continuous employment is interrupted by the seasonal nature of the position shall earn vacation credits. However, such persons must be employed twelve qualifying months before they can use the vacation credits. In order to qualify, such employees must immediately report back for work when operations resume in order to avoid a break in service."

And further amend page 8, Section 6, subsection (1), line 10, after the word "each" deleting the word "full-time";

And further amend page 8, Section 6, subsection (1), line 12, by striking the word "with" and inserting in lieu thereof the word "without";

And further amend page 8, Section 6, subsection (1), lines 12 and 13 after the word "juror" by deleting the words "or witness";

And further amend page 8, Section 6, subsection (1), line 13, after the word "proceedings" by inserting the words "without loss of cumulative benefits" and striking the remaining lines of subsection (1);

And further amend page 8, Section 6, subsection (2), line 18 after the word "employee" by striking the words "called to jury duty or" and inserting in lieu thereof the word "subpoenaed";

And further amend page 8, Section 6, subsection (2), line 20, after the word "the" by striking the word "jury";

And further amend page 8, Section 6, subsection (2), line 21 after the word "office" by deleting the word "jury" and inserting in lieu thereof the word "Witness";

And further amend page 8, Section 6, subsection (2), lines 22 and 23, after the word "employer" by deleting the words "for the period of jury leave";

And further amend page 8, Section 6, subsection (2), line 24 after the word "his" by deleting the words "jury duty" and inserting in lieu thereof the word "witness";

And further amend page 8, Section 6, subsection (2), line 25, after the word "his" by deleting the word "jury" and inserting in lieu thereof the word "witness";

And that Senate Bill No. 431, as so amended, be concurred in.

FOR THE HOUSE:  
PREVOST  
BELL  
HAGEMAN

FOR THE SENATE:  
THIESSEN  
JENSEN  
LOWE

Prevost moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 79.

Noes: Burnett, Greely. Total 2.

Excused: Lundgren. Total 1.

Absent or not voting: Baeth, Bradley, Castles, Clemow, Colberg, East, Ellerd, Hall, Hubing, Jones, Kvaalen, Mehrens, Quilici, Smith, Turner, Walborn, Yardley, Zimmer. Total 18.

## MESSAGES FROM THE SENATE

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on House Bill No. 211 and the President was authorized to appoint a Free Conference Committee.

The President appointed the following members:

Senator Vainio, Chairman  
Senator Sorenson  
Senator Himsl

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 178 and the President was authorized to appoint a new Free Conference Committee.

The President appointed the following members:

Senator Keenan, Chairman  
Senator Siderius  
Senator Breeden

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 334.

The President appointed the following members:

Senator Bertsche, Chairman  
Senator James  
Senator Broeder

Respectfully,

JOHN N. HANSON  
Secretary of the Senate



## MOTIONS AND RESOLUTIONS

Lynch moved that the Conference Committee on House Bill No. 131 be dissolved and that the Speaker appoint a new Conference Committee.

Motion carried.

Cox moved that the House reconsider House Bill No. 105 and that the veto of the Governor be overturned.

Motion failed by the following vote, as a two-thirds vote was required:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Burnett, Campbell, Clemow, Cotton, Cox, East, Fagg, Forsgren, Galt, Glennen, Gunderson, Hageman, Hage, Haines, H. Harper, Hodges, Holtz, Johnston, Jones, Kessner, Kolstad, Lockrem, Lucas, Lund, McKittrick, Manuel, Marbut, Marks, Mercer, Nichols, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Stephens, Stoltz, Turman, Ulmer, Walborn, Warfield, Yardley. Total 51.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Brown, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Hall, R. Harper, Healy, Holmes, Huenekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lien, Lombardi, Lynch, Mehrens, Menahan, Murphy, Norman, Regan, Roberts, Shelden, Staigmiller, Swanberg, Tierney, Towe, Turner, Watt, Mr. Speaker. Total 39.

Excused: Lundgren. Total 1.

Absent or not voting: Castles, Ellerd, Halvorson, Hubing, Kvaalen, Lee, Quilici, Smith, Zimmer. Total 9.

Fasbender moved that the Rules be suspended and place House Bill No. 586 on Third Reading this day.

Motion carried.

Greely moved that Rules be suspended and that House Bill No. 611 be placed on Third Reading this day.

Motion failed.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 583 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huenekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Roberts. Total 1.

Excused: Lundgren. Total 1.

Absent or not voting: Castles, Driscoll, Hubing, Kvaalen, Lee, Quilici, Smith, Zimmer. Total 8.

House Bill No. 586 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glen-nen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosen, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mar-but, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Sche-pens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Tur-man, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Camp-bell, Clemow, East, Ellerd, Forsgren, Galt, Hager, Haines, H. Harper, Jones, Kolstad, Lockrem, Lucas, Lund, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Turner, Ulmer, Walborn, Warfield. Total 32.

Excused: Lundgren. Total 1.

Absent or not voting: Castles, Cox, Hubing, Kvaalen, Quilici, Smith, Zimmer. Total 7.

Paired: Lee, aye; Lockrem, no.

The Speaker appointed the following Free Conference Committee on House Bill No. 334:

Lien, Chairman  
Schepens  
Mercer

Fasbender moved that the House adjourn until 10:00 a.m., March 17, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SPECIAL SESSION SIXTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 17, 1973

House convened, pursuant to adjournment, at 10:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Lundgren, Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having exam-ined the daily journal for the Special Session 5th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 17, 1973

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration Senate Bill No. 413, respectfully report as follows:

That Senate Bill No. 413 be amended on the third reading Senate Bill as follows:

Be amended on page 1, starting with line 18, through and including the material on page 5, line 1, by striking all the material contained therein in its entirety and inserting in lieu thereof the following:

“(a)” “bingo”, in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random; and

(b) “raffles”, which are conducted by drawing for prizes or the allotment of prizes by chance by the distribution of shares or tickets or rights to participate in such drawing for a consideration.

(2) “Qualified organization” means any bona fide chartered branch or lodge or chapter of a national organization, or any bona fide religious, charitable, labor, educational or veteran’s organization; a county fair commission; or senior citizens center; or a holder of a current Montana retail liquor or an on premises beer license.

(3) “Licensee” means any qualified organization to which a license has been issued by the licensing authority.

(4) “Person” means a natural person, firm, association, corporation, or other legal entity.

(5) “Licensing authority” means the state department of revenue.

(6) “Chartered branch of lodge or chapter of a national organization” means any branch or lodge or chapter of a national organization which is a civic or service organization having a federal tax exempt status, and authorized by its written constitution, charter, articles of incorporation, or by-laws to engage in a fraternal, civic or service purpose within this state and which has been so engaged for five years prior to making application for a license under this act.

(7) “Religious organization” means any organization, church, body of communicants, or group having a federal tax exempt status, gathered in common membership for mutual support and edification in piety, worship and religious observances, or a society having a federal tax exempt status of individuals united for religious purposes at a definite place or places, and which organization, church, body of communicants, group, or society has been so gathered or united for five (5) years prior to making application for a license under this act.

(8) “Charitable organization” means any organization having a federal tax exempt status which is operated for the relief of poverty, distress, or other condition of public concern within this state, and which has been so engaged for five (5) years prior to making application for a license under this act.

(9) “Labor organization” means any organization having a federal tax exempt status within this state, which exists for the purpose in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and which has existed for such purpose and has been so engaged for five (5) years prior to making application for a license under this act.

(10) “Educational organization” means any organization within this state having a federal tax exempt status, whose primary purpose is educational in nature and designed to develop the capabilities of individuals by instruction and which has been in existence for five (5) years prior to making application for a license under this act.

(11) “Veteran’s organization” means any organization within this



state, or any branch or lodge or chapter of a national organization within this state having a federal tax exempt status, the membership of which consists of individuals who were members of the armed services or forces of the United States, which has been in existence for five (5) years prior to making application for a license under this act.

(12) "County fair commission" means any commission created under the laws of this state for the control and operation of county and district fairs and for the supervision and management of the fair grounds.

(13) "Senior citizens center" means any organization within this state whose primary concern is to provide services for the elderly; this term includes rest homes for the elderly, convalescent homes for the elderly, and licensed residence facilities for the elderly.

(14) "Gross receipts" means receipts from the sale of shares, tickets or rights in any manner connected with participation in a game of chance or the right to participate therein, including any admission fee or charge, the sale of equipment or supplies, and all other miscellaneous receipts.

(15) A county fair commission shall deposit the net proceeds derived from any game of chance into the county fair fund. In the case of district fairs the net proceeds shall be deposited in each county fair fund in the same ratio as the county levy to support said district fair.

(16) "Holder of a current Montana retail liquor or beer license" means a person who holds a current Montana liquor or on premises beer license.

Section 3. Licensing authority—powers—duties. The state department of revenue is hereby designated as the "licensing authority" of this act. The department shall be in charge of enforcement of the terms and provisions of this act and, as state licensing authority, its powers and duties shall be as follows:

(1) To grant licenses under this act. Each applicant for a license to be issued under the provisions hereof shall file with the licensing authority a written application in duplicate in the form prescribed by the licensing authority, duly executed and verified, and in which shall be stated:

- (a) the name and address of the applicant;
- (b) sufficient facts, as prescribed by the licensing authority relating to the organization and operation of the applicant;
- (c) the names and addresses of its officers;
- (d) the specific kind of games of chance intended to be held, operated and conducted by the applicant;
- (e) the place where such games are intended to be held, the dates and time that the games are intended to be held, and,
- (f) such other information as shall be deemed advisable by the licensing authority to insure that the applicant falls within the provisions of this act.

(2) The department of revenue may, in its discretion, issue a license to an applicant. The license shall be valid for one year and shall be issued upon payment of a one-hundred dollar (\$100) license fee. A licensee may hold only one (1) license and that license is valid for only one (1) location.

Section 4. Form of license—display of license. Each license shall contain a statement of the name and address of the licensee, of the names and addresses of the member or members of the licensee under whom such games of chance will be held, operated and conducted, and the place where such bingo games or the drawing of the raffles are to be held. Each license issued for the conduct of any such game or games of chance shall



be conspicuously displayed at the place where the same is to be conducted or the drawing held at all times during the conduct thereof. The license shall be executed in duplicate and a copy shall be kept on file in the office of the department of revenue.

Section 5. Restrictions. The conducting of bingo or raffles is subject to the following restrictions:

(1) No person may receive any remuneration or profit for participating in the management or operation of bingo or raffles.

(2) A licensee may rent a premises on which to conduct bingo or raffles only from an organization which is also licensed under this act.

Section 6. Bingo—restrictions. The conducting of bingo is subject to the following restrictions:

(1) The aggregate retail value of all prizes or merchandise awarded on any one day by a licensee may not exceed one thousand dollars (\$1,000).

(2) The number of bingo games may not exceed fifty (50) on any one (1) day.

(3) The price paid by a participant shall not exceed twenty-five cents (\$.25) per card per game.

(4) The number of days upon which a licensee may conduct any games of bingo under this act is limited to three (3) per week.

Section 7. Raffles—restrictions. The conducting of raffles is subject to the following restrictions:

(1) The aggregate retail value of all prizes or merchandise awarded in any raffle by a licensee may not exceed five thousand dollars (\$5,000).

(2) The number of raffles by a licensee may not exceed three (3) in any one (1) week.

Section 8. Licensing authority—adoption of regulations. The licensing authority is granted the authority to adopt and promulgate rules or regulations to implement and carry out the provisions of this act.

Section 9. The licensing authority may issue temporary licenses to organizations coming within the definitions in and provisions of Section 2 of this act but which do not wish to purchase an annual license. Such temporary licenses shall permit games of chance to such organization for a period not to exceed forty-eight (48) hours, the time to be specified in the temporary license. The fee for such temporary license is ten dollars (\$10), such fee to accompany the application therefore. The provisions of this act relating to applications and to restrictions upon games of chance apply to games of chance conducted under a temporary license. A licensee may not hold both an annual and a temporary license, nor may any licensee have issued more than three (3) temporary licenses during the calendar year. Unless the context of this act clearly prevents such construction, all provisions of this act apply to all aspects of the application for, possession and use of, and accounting for temporary licenses.

Section 10. Suspension and revocation of licenses. The department of revenue has the power on its own motion based on reasonable grounds or on complaint made and after investigation to suspend or revoke any license issued by the licensing authority for any violation by the licensee or any officer, director, agent, member or employee of such licensee of the provisions of this act or any rule or regulation authorized or adopted by the department of revenue. The department of revenue shall only suspend or revoke a license after notice and hearing pursuant to the Montana administrative procedures act, Title 82, Chapter 42, R.C.M. 1947.

Section 11. There shall be paid to the department of revenue two and one half percent (2½%) of the gross proceeds of all games of bingo and raffles conducted under the provisions of this act, and a further two and one half percent (2½%) of such gross proceeds shall be paid to the treasurer of the county in which such games of chance are held. Such payments shall be made four (4) times per year, by the fifteenth day of April, July, October and January for the quarter ending with the last day of the preceeding month. Payment must be by money order or certified check. Accompanying each payment shall be a report, on forms provided by the department of revenue, listing the number of games conducted, the gross income derived, the expenses incurred, and such other information as the department of revenue may require.

Section 12. In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game. Raffles authorized by this act shall be restricted to events and participants within the geographic confines of the State of Montana.

Section 13. No person under the age of eighteen (18) years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to this act.

Section 14. It shall be unlawful to conduct a game of chance authorized by this act in any manner which results in cheating, misrepresentation or other such disreputable tactics which distract from a fair and equal chance for all participants or which otherwise affect the outcome of the games of chance authorized by this act.

Section 15. It shall be the duty of all peace officers to enforce the provisions of this act and to arrest and complain against any person violating any provision of this act. It shall be the duty of the county attorney of the respective county to prosecute all violations of this act in the manner and form as is provided by law and it shall be a misdemeanor for any such person or persons to knowingly fail to perform his or her duty under this Section.

Section 16. Bingo and raffles as in this act authorized are exempt from the provisions of Section 94-3001 through 94-3011.

Section 17. Penalties. Every licensee and every officer, agent, or employee of the licensee and every other person who wilfully violates or who procures, aids or abets in the wilful violation of this act, or rules and regulations of the department of revenue shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) or imprisonment in the county jail for not more than three (3) months, or both, in the discretion of the court, and in the case of a corporation it shall be subject to a fine of not more than one thousand dollars (\$1,000).

Section 18. Severability clause. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.”,

And, as so amended, be concurred in.

LIEN, Chairman

Report adopted.

March 17, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Attaches terminated as of March 12th, 1973: Bonnie Betson, Susan Hansen, typists.

HOUSE JOURNAL—SPECIAL SESSION  
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Attaches hired as of March 14th, 1973: Martha Herlevi.

Attaches terminated as of March 16th, 1973: Martha Herlevi.

EDLAND, Chairman

Report adopted.

March 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 65, 153, 343, 519.

FLEMING, Vice-Chairman

March 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Resolution No. 31.

FLEMING, Vice-Chairman

March 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 611.

QUILICI, Chairman

### REPORTS OF SELECT COMMITTEES

March 16, 1973

House Bill No. 463

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 463, beg leave to report as follows:

That we met this day and considered the Senate Committee on Judiciary Amendments to House Bill No. 463 and recommend as follows:

That the House accede to the Senate Committee on Judiciary Amendments dated March 8, 1973, and that the Joint Conference Committee recommends the bill be amended as follows:

Amend the second paragraph of the Senate Committee on Judiciary Amendments to House Bill No. 463 by striking the "[period]" at the end of the underscored material and inserting a "semi-colon" and adding a new Subsection (c) to read as follows:

(c) "Such abortion may not be performed after viability of the fetus unless, in appropriate medical judgment, the same is necessary to preserve the mother's life."

And that House Bill No. 463, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
McNAMER  
ZODY

FOR THE HOUSE:  
McKITTRICK  
REGAN

McKittrick moved for adoption of the Conference Committee report and that the committee be dissolved.



Hall, as a substitute motion, moved that the Conference Committee report be not adopted.

The substitute motion passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Burnett, Castles, Colberg, Cotton, Cox, Driscoll, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lien, Lucas, Lund, Marks, Mercer, Murphy, Nichols, Norman, Olson, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 64.

Noes: Baeth, Bell, Brand, Campbell, Clemow, East, Edland, Fagg, Galt, Healy, Hubing, Jacobsen, Johnston, Kosena, Lee, Lockrem, Lynch, McKittrick, Manuel, Menahan, Prevost, Quilici, Regan, Schepens, Staigmiller, Walborn, Mr. Speaker. Total 27.

Excused: Lundgren, Zimmer. Total 2.

Absent or not voting: Ellerd, Jones, Kessner, Lombardi, Marbut, Mehrens, Selstad. Total 7.

The Speaker signed the following Senate Bills in open session: 18, 86, 115, 121, 128, 139, 180, 187, 196, 212, 233, 261, 303, 308, 345, 360, 369, 373, 381, 385, 406, 411, 446, 451 and Senate Joint Resolutions Nos. 9, 27, 28 and 36.

#### MESSAGES FROM THE SENATE

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 55, introduced by Bardanouve, et al

House Bill No. 56, introduced by Bardanouve, et al

House Bill No. 57, introduced by Bardanouve, et al

House Bill No. 97, introduced by Fasbender, et al

House Bill No. 217, introduced by Lund and Kosena

House Bill No. 350, introduced by Marbut, Holmes, et al

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by Committee Reports that the bills be not concurred in, reports adopted on roll call, and the bills are herewith returned to the House.

House Bill No. 225, introduced by Hall

House Bill No. 531, introduced by Towe.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate



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FORTY-THIRD LEGISLATIVE ASSEMBLY

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Conference Committee report on Senate Bill No. 363 and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Bardanouve moved that no final action be taken on any major appropriation bills or the Long Range Building program appropriation until the budget is balanced.

As a substitute motion, Kvaalen moved that the House stand adjourned until 10:00 a.m., Monday, March 19, 1973, in order to give Committees on Taxation, Finance and Claims, and Long Range Building, time that they may work.

Motion failed.

Lockrem asked that the Speaker rule whether the motion was divisible.

The Speaker ruled that it certainly was.

As a substitute motion, Lockrem moved that final action on all appropriation bills, excluding Long Range Building, be held up until the budget is balanced.

Fasbender moved, as a motion for all motions pending, that action on this motion be postponed until Monday, March 19, 1973.

Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Swanberg in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 7 be concurred in (88-8).

That House Bill No. 613 be amended in second reading bill by inserting a new Section after line 21 as follows: "Section 2. Nothing in this act shall prohibit the use of the levy authorized by Section 16-1015, R.C.M. 1947, for the purpose of law enforcement." (80-0)

And, as amended, do pass (49-41).

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 396 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: H. Harper, Lundgren, Marbut, Zimmer. Total 4.

Absent or not voting: Asbjornson, Bennetts, Castles, Cotton, Gunderson, Marks, Norman, Schye, Shelden. Total 9.

## MOTIONS AND RESOLUTIONS

Galt moved that Rules be suspended and that House Bill No. 613 be placed on Third Reading this day.

Motion carried.

Fasbender moved that the Speaker appoint a new Conference Committee to meet with a like Committee from the Senate on House Bill No. 463.

Motion carried.

## REPORTS OF SELECT COMMITTEES

Hall moved that all Conference Committee reports hereafter reported be deemed read.

Motion carried.

March 17, 1973

House Bill No. 334

## FREE JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 334, beg leave to report as follows:

That we met this day and considered Senate Committee on Taxation amendments to House Bill No. 334, dated March 10, 1973, and recommend as follows:

That the House accede to the Senate Committee on Taxation amendments, dated March 10, 1973, to House Bill No. 334, and

Further, the Free Joint Conference Committee recommends that House Bill No. 334 be amended in the title on page 1, line 9, after the word "TO" by striking the words "[delete the requirement]" and inserting in lieu thereof the word "provide", and

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That House Bill No. 334 be further amended in the title on page 1, line 10, after the word "any" by inserting the words "single purpose", and

That House Bill No. 334 be further amended in the title on page 1, line 10, after the word "exceeding" by striking the word "[ten]" and inserting in lieu thereof the word "forty", and

As so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

JAMES  
BROEDER  
BERTSCHE

FOR THE HOUSE:

LIEN  
SCHEPENS  
MERCER

Lien moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett. Total 1.

Excused: H. Harper, Lundgren, Marbut, Zimmer. Total 4.

Absent or not voting: Bennetts, Cox, Gunderson, Halvorson, Huennekens, Jones, Norman, Schye, Shelden, Swanberg, Turman. Total 11.

### MESSAGES FROM THE SENATE

March 16, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 54, introduced by Groff and Thiessen

Senate Bill No. 72, introduced by Boylan, et al.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day dissolved the Conference Committee on House Bill No. 463 and the President was authorized to appoint a new Conference Committee.

The President appointed the following members:

Senator McNamer, Chairman  
Senator Bennett  
Senator Boylan.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 54, introduced by Groff, Thiessen: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975 and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 72, introduced by Boylan, Deschamps, Groff, Turnage, Breeden, Flynn, Mathers, James, Lowe, Cochrane, Story, Thiessen, Graham, Siderius, McOmber: A bill for an act entitled: "An act to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes without regard to the value it may have for other purposes; amending Sections 84-401 and 84-429.12, R.C.M. 1947." Referred to Committee on Taxation.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 613 was passed by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bradley, Brand, Campbell, Clemow, Cotton, East, Edland, Fasbender, Fleming, Flynn, Galt, Greely, Hageman, Johnston, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lund, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Hubing, Huennekens, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Norman, Prevost, Quilici, Roberts, Schepens, Seifert, Staigmiller, Stephens, Stoltz, Tierney, Towe, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Asbjornson, Bardanouve, Barrett, Bell, Brown, Burnett, Castles, Colberg, Driscoll, Ellerd, Fagg, Forsgren, Glennen, Haines, Holtz, Jacobsen, Jones, Kessner, Kvaalen, Laas, Lockrem, Lucas, Mercer, Murphy, Nichols, Olson, Regan, Rolfe, Selstad, Smith, Swanberg, Turner, Ulmer, Walborn, Warfield. Total 36.

Excused: H. Harper, Lundgren, Marbut, Zimmer. Total 4.

Absent or not voting: Bennetts, Cox, Gunderson, Holmes, Schye, Shelden, Turman. Total 7.

### REPORTS OF STANDING COMMITTEES

March 17, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 595.

QUILICI, Chairman



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March 16, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 16, 50, 108, 118, 128, 146, 260, 283, 338, 394, 396, 406, 441, 442, 456, 480, 573 and House Joint Resolution No. 18, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:40 p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

I have examined House Bill No. 519 introduced by me and find the same to be correct.

GREELY

I have examined House Resolution No. 19 introduced by me and find the same to be correct.

McKITTRICK

I have examined House Bill No. 153 introduced by me and find the same to be correct.

McKITTRICK

I have examined House Bill No. 65 introduced by me and find the same to be correct.

McKITTRICK

The Speaker signed the following bills in open session: House Bills Nos. 519, 153 and 65 and House Resolution No. 19.

The Speaker appointed the following Conference Committees:

Conference Committee on Senate Amendments to House Bill No. 131: Lynch, chairman; Driscoll, Bell.

Conference Committee on House Bill No. 463: Norman, chairman; Yardley, Olson.

Fasbender moved that the House adjourn until 2:00 p.m., March 19, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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SPECIAL SESSION SEVENTH LEGISLATIVE DAYHouse of Representatives  
Helena, Montana

March 19, 1973

House convened, pursuant to adjournment, at 2:00 p.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Brand, Fleming, Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 6th Legislative Day, find the same to be correct.

QUILICI, Chairman

#### REPORTS OF STANDING COMMITTEES

March 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 46, 169, 458, 532, 578.

QUILICI, Chairman

March 19, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 589 and House Resolution No. 36.

QUILICI, Chairman

March 19, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 26, 205, 265, 320, 367, 372, 373, 513, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:10 a.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 19, 1973

Mr. Speaker: We, your Committee on Legislative Administration, report the following staff changes:

Terminated as of March 17, 1973: Alice Berner, Sec./Chief Clerk.

Changes as of March 17, 1973: Donna Carney, Sec./Ass't. Chief Clerk to the Sec./Chief Clerk; Shaun Devine, Stenographer, to the Sec./Ass't. Chief Clerk.

Martha Herlevi, Ass't. to Payroll Clerk.

EDLAND, Chairman

Report adopted.

March 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 604, respectfully report as follows: That House Bill No. 604 be held over until the second half of the 43rd Legislative Session in January, 1974.

STAIGMILLER, Chairman

Report adopted.

March 19, 1973

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Resolution No. 33, respectfully report as follows: That House Resolution No. 33 be held over until the second half of the 43rd Legislative Session in January, 1974.

STAIGMILLER, Chairman

Report adopted.

January 27, 1973

Mr. Speaker: We, your Committee on Taxation, having had under

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consideration House Resolution No. 7, respectfully report as follows: That House Resolution No. 7 do not pass.

WATT, Chairman

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: Bardanouve, Ellerd, Fagg, Galt, Gunderson, Hall, Halvorson, Hubing, Kessner, Kimble, Kosena, Lundgren, Smith, Ulmer, Zimmer. Total 15.

March 17, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

WATT, Chairman

Report adopted.

March 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 608, respectfully report as follows: That House Bill No. 608 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

March 19, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 609, respectfully report as follows: That House Bill No. 609 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

MEHRENS, Chairman

Report adopted.

### REPORTS OF SELECT COMMITTEES

March 17, 1973

Senate Bill No. 28

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 28, beg leave to report as follows:

That we met Friday, March 16, and considered the House amendments to Senate Bill 28. The Joint Conference Committee recommends as follows:

That the green House Substitute Bill be amended as follows:

Amend Section 1, Subsection (b), line 2, after the word "be" by deleting the rest of the Subsection in its entirety and inserting in lieu thereof the following language: "appointed by the Supreme Court.";

And further amend Section 1, Subsection (c), after the word "judge" by deleting the rest of Subsection (c) in its entirety and inserting in lieu thereof the following language: "elected by the district judges under an elective procedure initiated and conducted by the supreme court and certified to such election by the chief justice of the Supreme Court, and which for the purpose of the language of this act shall be considered as an appointment.";

And that the Senate accede to the remainder of the House amendments;

And that Senate Bill No. 28 as so amended, be concurred in.

FOR THE SENATE:

LYNCH  
McKEON  
MOORE

FOR THE HOUSE:

FASBENDER  
YARDLEY  
LOCKREM

Yardley moved for adoption of the conference committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, Healy, Hodges, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Manuel, Marks, Mehrens, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Bennetts, Colberg, Greely, H. Harper, Holmes, Huennekens, Lien, McKittrick, Towe, Warfield. Total 10.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: Bardanouve, Brown, Ellerd, Haines, Hall, R. Harper, Hubing, Jones, Lockrem, Lucas, Lundgren, Lynch, Menahan, Smith. Total 14.

## MESSAGES FROM THE SENATE

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 254 and the President was authorized to appoint a Free Conference Committee of three to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator McOmber, Chairman  
Senator Keenan  
Senator Carl.

Respectfully,  
JOHN N. HANSON  
Secretary of the Senate



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March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 254, introduced by Watt, Halvorson, et al, was this day read three several times and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 509, introduced by Fasbender, et al, was this day read three several times and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 183 is being returned to the House for reason of a correction in the history.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 467, introduced by Groff &amp; Lynch

Senate Bill No. 468, introduced by Zody.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committees on the House amendments to the following Senate Bills were this day adopted and the committees were dissolved.

Conference Committee on Senate Bill No. 23

Conference Committee on Senate Bill No. 300

Free Conference Committee on Senate Bill No. 383

Conference Committee on Senate Bill No. 431.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Joint Conference Committee Report on House Bill No. 368 was this day adopted and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on House Bill No. 357 was this day adopted and the committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report was not adopted this day and the President was authorized to appoint a new Conference Committee of three to confer with a like committee from the House on Senate amendments to House Bill No. 220.

The President appointed the following members:

Senator James, Chairman  
Senator Boylan  
Senator Flynn

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on House Bill No. 211 was this day rejected, and the President was authorized to appoint a new Conference Committee of three to confer with a like committee from the House on said bill.

The President appointed the following members:

Senator Bertsche, Chairman  
Senator Bollinger  
Senator Himsl

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a New Conference Com-

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mittee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 131.

The President appointed the following members:

Senator Groff, Chairman  
Senator McDonald  
Senator McNamer

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Lund moved that House Bill No. 588 be taken from Committee on Finance and Claims and be placed on Second Reading.

Lund requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Quilici, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Staig-miller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 79.

Noes: Bardanouve, Fasbender, Flynn, Greely, Hageman, Halvorson, Kosen, Manuel, Prevost, Regan, Schepens, Swanberg, Mr. Speaker. Total 13.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: Edland, Gunderson, Hall, Selstad, Zimmer. Total 5.

Bardanouve moved to renew the motion that further action on appropriation bills be deferred until we see where we are on the budget.

As a substitute motion, Lockrem moved that Senate Bill No. 54 be taken from the Committee on Finance and Claims and be placed on Second Reading. A roll call vote was requested by Lockrem with the Ayes and Nays spread on the Journal.

Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Lynch, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 48.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Flynn, Greely, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosen, Laas, Lee, Lien, Lombardi, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shel-

den, Staigmiller, Stephens, Stoltz, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 49.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: None.

The substitute motion of Lockrem's postponed from the last sitting was then placed before the House, which excluded Long Range Building appropriation from Bardanouve's motion to defer action on appropriation bills.

The substitute motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Clemow, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Lynch, Marks, Mercer, Nichols, Olson, Rolfe, Schye, Seifert, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 42.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Castles, Colberg, Cotton, Driscoll, Edland, Fasbender, Flynn, Greely, Gunderson, Hageman, Hall, R. Harper, Halvorson, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 53.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: Cox, Selstad. Total 2.

The original motion of Bardanouve passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Greely, Gunderson, Hageman, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 58.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, Holtz, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Smith, Tierney, Turner, Walborn, Warfield. Total 38.

Excused: Brand, Fleming, Marbut. Total 3.

Absent or not voting: Kessner. Total 1.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 617, introduced by Lund, Fasbender: A bill for an act entitled "an act for the revision of the laws relating to the Department of Agriculture." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 618, introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to change the adjusted gross income exemption of federal retirement income from thirty-six hundred dollars (\$3,600) to eighteen hundred dollars (\$1,800), to establish a minimum age for the exemption, and providing an effective date." Referred to Committee on Taxation.



House Resolution No. 39, introduced by Halvorson, Fagg, Lucas, Ulmer, Cox, Asbjornson, Sheldon, Marks, Watt, Lien, Jacobsen, Laas, Manuel, R. Harper, Lee, Johnston, Fleming, Stephens, Baeth, Lombardi, Healy, Kosena, Menahan, Towe, Swanberg, Tierney, Hubing, Barrett, Campbell, Jones, Lund, Schye, Castles, Bell, Kendall, Clemow, Mercer, Hager, Olson, Kessner, Gunderson, Hodges, Cotton, Edland: A resolution of the House of Representatives of the State of Montana directing the Department of Administration to sell the desks and chairs of the House of Representatives at a public auction and to replace the chairs and to provide new desks with attached filing cabinets. Referred to Committee on Business and Industry.

House Resolution No. 40, introduced by Holmes, Cox, Regan, Flynn, Stoltz, Barrett, Forsgren, Gunderson, Fasbender: A resolution of the House of Representatives of the State of Montana directing the units of the Montana State University System to adopt standardized incentives for faculty research and scholarship. Referred to Committee on Education.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

East in the Chair.

Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 595 do pass (55-40).

That Senate Bill No. 413 be amended in Section 2, subsection 1, sub (6) on page 1 of the Select Committee on Gambling Amendment to Senate Bill No. 413 by inserting the following after the word, "consideration": "and such allotment may also be based on the distribution of shares in the outcome of any athletic contest." (59-36)

And be further amended by adding a new Section 18 to read "This act shall be effective until and expire on June 30, 1974", and re-number Section 18-19. (48-39)

And as amended, be not concurred in (51-43)

That House Resolution No. 31 be adopted (55-10).

That House Bill No. 588 do pass (69-7).

That Senate Amendments to House Bill No. 55 be not concurred in (71-0).

That Senate Amendments to House Bill No. 56 be concurred in (77-4).

That Senate Amendments to House Bill No. 57 be not concurred in (84-2).

That Senate Amendments to House Bill No. 97 be concurred in (81-0).

That Senate Amendments to House Bill No. 217 be concurred in (84-0).

That Senate Amendments to House Bill No. 350 be passed for the day.

That Senate Amendments to House Bill No. 509 be not concurred in (68-17).

That the Committee rise and report.

EAST, Chairman

East moved for adoption of the Committee of the Whole report.

Hall moved, as a substitute motion, that Senate Bill No. 413 be segregated from the Committee of the Whole report and as amended, the report be adopted.

Ulmer requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Bell, Brand, Brown, Baucus, Burnett, Castles, Colberg, Cotton, East, Edland, Fasbender, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schye, Staigmiller, Stephens, Stoltz, Tierney, Towe, Warfield, Yardley. Total 54.

Noes: Ainsworth, Asbjornson, Barrett, Bennetts, Campbell, Clemow, Cox, Driscoll, Ellerd, Fagg, Flynn, Forsgren, Halvorson, Hodges, Hubing, Jacobsen, Kosena, Kvaalen, Laas, Lucas, McKittrick, Marks, Mehrens, Menahan, Mercer, Nichols, Olson, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Swanberg, Turman, Turner, Ulmer, Walborn, Watt, Zimmer, Mr. Speaker. Total 41.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Bradley, Galt, Lockrem. Total 3.

Paired: Fasbender, aye; Lucas, no.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 611 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Burnett, Campbell, Clemow, Cotton, Cox, East, Ellerd, Fasbender, Forsgren, Glennen, Greely, Gunderson, Healy, Hodges, Hubing, Jones, Kessner, Kolstad, Kosena, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marks, Menahan, Mercer, Olson, Quilici, Schepens, Seifert, Selstad, Staigmiller, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 50.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Driscoll, Edland, Fagg, Flynn, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kvaalen, Laas, Lien, Manuel, Mehrens, Murphy, Nichols, Norman, Prevost, Regan, Roberts, Rolfe, Schye, Shelden, Smith, Stephens, Stoltz, Towe, Walborn, Watt, Zimmer. Total 47.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Galt. Total 1.

Paired: Cox, aye; Kvaalen, no.

### HOUSE RESOLUTION NO. 31

Introduced by Brand, Yardley, Haines, Lee, Lynch, Lombardi, Warfield, Turman, Ainsworth, Marbut, East, Watt, Bennetts, Ulmer, Kimble, Baucus, Roberts, Kendall, Baeth, Shelden, Quilici, Healy, Kosena, Menahan: A resolution of the House of Representatives of the State of Montana urging the institution of daily Amtrak service on the southern route in Montana.

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WHEREAS, the northern route of Amtrak has enjoyed daily service since the advent of Amtrak, and

WHEREAS, the southern route has only had service three times a week each way, and

WHEREAS, had the southern route daily service, it would have made for a more efficient operation by utilizing the available facilities, and

WHEREAS, the public would have more reason to use its service on a daily basis.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the State of Montana urges that Amtrak initiate daily service on its southern route in Montana, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Montana congressional delegation and to the national railway passenger corporation.

—END—

March 19, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 65, 153, 519, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:55 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 46 introduced by me and find the same to be correct.

BRAND

I have examined House Bill No. 458 introduced by me and find the same to be correct.

NORMAN

I have examined House Bill No. 578 introduced by me and find the same to be correct.

GUNDERSON

I have examined House Bill No. 532 introduced by me and find the same to be correct.

TOWE

I have examined House Bill No. 343 introduced by me and find the same to be correct.

HOLMES

I have examined House Bill No. 169 introduced by me and find the same to be correct.

ASBJORNSON

The Speaker signed the following bills in open session: House Bills Nos. 46, 458, 578, 532, 343, 169.

### REPORTS OF SELECT COMMITTEES

March 19, 1973

#### HOUSE BILL NO. 131

#### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 131, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and Claims amendments to House Bill No. 131, and recommend as follows:

That the House accede to the Senate Committee on Finance and Claims amendments of February 28, 1973.

And that House Bill No. 131 as amended, be concurred in.

FOR THE SENATE:

GROFF  
McDONALD  
McNAMER

FOR THE HOUSE:

LYNCH  
DRISCOLL  
BELL

Lynch moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gundersen, Hageman, Haines, Hall, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Colberg. Total 2.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Bennetts, Castles, Cox, Ellerd, Galt, Hager, Lund. Total 7.

March 19, 1973

# HOUSE BILL NO. 575

## FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 575, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole Amendment to House Bill No. 575 dated March 6, 1973, and recommend as follows:

That the House accede to the Senate Committee of the Whole Amendment dated March 6, 1973.

And further that House Bill No. 575 be amended on page 3, Section 1, following line 11 of the blue bill by adding the following new material:

### "DEPARTMENT OF REVENUE

From the general fund for payment of data processing costs for systems design, forty thousand dollars .....\$40,000"

And further that House Bill No. 575 be concurred in as amended.

FOR THE SENATE:

BOLLINGER  
BOYLAN  
COCHRANE

FOR THE HOUSE:

BARDANOUVE  
KOSENA  
NICHOLS



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Bardanouve moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Burnett, Ellerd, Glennen, Holtz, Kolstad, Smith, Rolfe, Walborn. Total 8.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Cox, East, Flynn, Galt, Jones, Lien, Lund, Lundgren, Regan, Selstad. Total 10.

March 19, 1973

SENATE BILL NO. 109

JOINT CONFERENCE COMMITTEE REPORT

We, your Joint Senate and House Conference Committee on Senate Bill No. 109, beg leave to report as follows:

That we met this day and considered House Committee on Judiciary Amendments dated March 10, 1973, to Senate Bill No. 109 and House Third Reading Amendment dated March 13, 1973 to Senate Bill No. 109 and recommend as follows:

That the Senate accede to the two House Third Reading Amendments,

And further that the Senate accede to the House Committee on Judiciary amendments on pages one and two.

And further that the Senate accede to the House Committee on Judiciary amendments on page three of the amendments, first amendment, and by inserting the following new material at the end of that amendment;

“(d) the deliberate homicide was committed by means of torture; or

(e) the deliberate homicide was committed by a person lying in wait or ambush; or

(f) the deliberate homicide was committed as a part of a scheme or operation which, if completed, would result in the death of more than one person.”,

And further that the Senate accede to the House Committee on Judiciary amendments on page three, paragraphs two, three and four,

And further that the House recede to the House Committee on Judiciary amendments on page three, paragraph five,

And further that the Senate accede to the House Committee on Judiciary amendments on page four, paragraph one, an amendment pertaining to trespassing, Section 94-6-201,

And further that the Senate accede to the House Committee on Judiciary amendments on page four, paragraph two,

And further that the House recede to the House Committee on Judiciary amendments on page four, paragraph three,

And further that the Senate accede to the House Committee on Judiciary amendments on page four, paragraph four pertaining to obscenity which continues over to page five,

And further that the Senate accede to the House Committee on Judiciary amendments on page five, the first full paragraph,

And further that the House recede to the House Committee on Judiciary amendments on page five, the second full paragraph,

And further that the Senate accede to the House Committee on Judiciary amendments on page five, the third full paragraph,

And further that the House recede to the House Committee on Judiciary amendments on page five, the fourth full paragraph,

And further that the Senate accede to the House Committee on Judiciary amendments on page five, the fifth full paragraph,

And further that the Senate accede to the House Committee on Judiciary amendments on page five, the sixth full paragraph,

And that as so amended Senate Bill No. 109 be concurred in.

FOR THE SENATE:

McKEON

TURNAGE

ZODY

FOR THE HOUSE:

HALL

LUCAS

BAUCUS

Hall moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Cotton, East, Edland, Fagg, Fashbender, Forsgren, Flynn, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Holtz, Hubing, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 70.

Noes: Bardanouve, Bennetts, Bradley, Colberg, Driscoll, Greely, H. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Murphy, Regan, Roberts, Shelden, Stoltz, Towe, Turman, Watt. Total 20.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Clemow, Cox, Ellerd, Galt, Jones, Lien, Marks, Yardley. Total 8.

March 15, 1973

## SENATE BILL NO. 124

### JOINT FREE CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Free Conference Committee on Senate Bill No. 124, beg leave to report as follows:

That we met this day and considered House Committee on Labor and

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Employment Relations amendments to Senate Bill No. 124 and recommend as follows:

That Section 1, subsection 7 of said bill commencing on line 3 and ending on line 5 of page 2 of said bill, be stricken in its entirety.

And that Senate Bill No. 124 as so amended, be concurred in.

FOR THE SENATE:

McKEON

GOODHEART

G. BENNETT

FOR THE HOUSE:

McKITTRICK

B. BENNETTS

MARBUT

McKittrick moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report was adopted by the following vote:

Ayes: Baeth, Baucus, Bennetts, Bradley, Brand, Cotton, Driscoll, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kimble, Kosen, Laas, Lee, Lockrem, Lombardi, Lynch, McKittrick, Marks, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Swanberg, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 47.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Colberg, East, Edland, Ellerd, Flynn, Hageman, Hager, Haines, Holtz, Hubing, Jacobsen, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lund, Lundgren, Manuel, Mercer, Nichols, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 40.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Bardanoue, Clemow, Cox, Galt, Jones, Kendall, Olson, Staigmiller, Stephens, Stoltz, Tierney. Total 11.

March 19, 1973

SENATE BILL NO. 208

JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 208, beg leave to report as follows:

That we met this day and considered House Natural Resources Committee amendments to Senate Bill No. 208, dated March 5, 1973, and recommend as follows:

That the House recede from all of the House Natural Resources Committee amendments to Senate Bill No. 208 dated March 5, 1973.

Your Joint Conference Committee recommend that Senate Bill No. 208 be amended as follows:

Amend page 1, line 7, title, following the word "regulations" and before the punctuation "," by adding the following "and in default thereof providing for the promulgation of departmental minimum requirements; providing for the submission of environmental assessments";

Further amend page 3, Section 3, subsection (6), line 7, following the words "division of" by striking the words "a tract or parcel of" and on line



8, following the word and punctuation "lots," by adding the word and punctuation "parcels,";

Further amend page 3, Section 3, subsection (7), line 10, following the word "means a" by reinserting the words "neat and";

Further amend page 3, Section 3, subsection (7), line 11, following the word "subdivision" by reinserting the following: "showing the layout of streets, alleys, lots, blocks, and other elements of a subdivision which furnish a basis for review by a governing body";

Further amend pages 4 and 5, Section 3, subsection (12), lines 8 through 25 on page 4, and lines 1 through 6 on page 5, by striking all of said lines being subsection (12) in its entirety and inserting in lieu thereof: "(12) 'subdivision' means the division of land, or land so divided, into two (2) or more parcels, whether contiguous or not, any of which is ten (10) acres or less, exclusive of public roadways, in size, without regard to the method of description thereof, in order that the title or possession of the parcels or any interest therein may be sold, rented, leased, or otherwise conveyed either immediately or in the future, and shall include any resubdivision of land; and shall further include any condominium or areas providing multiple space for camping trailers, house trailers or mobile homes; provided further that a division of land is a subdivision when the division creates a second or any subsequent parcel for the purpose of sale, rent, lease, or other conveyance from a tract of land held in single or undivided ownership on July 1, 1973, where any of the parcels segregated from the original tract is ten (10) acres or less, exclusive of public roadways in size, without regard to the method of description thereof. The plat of a subdivision so created shall show all of the parcels segregated from the original tract whether contiguous or not.

"Subdivision" shall include any condominium or areas providing multiple space for camping trailers, house trailers, or mobile homes, regardless of the size of the parcel of land upon which the same is situated.";

Further amend page 5, Section 4, subsection (1), line 8, following the word "all" by striking the word "subdivisions" and insert in lieu thereof the words "division of real property";

Further amend page 5, Section 4, subsection (1), line 12, by striking the words "or divisions" and inserting in lieu thereof the words "into lots, tracts, or parcels any of which is ten (10) acres or less in size" and further amend on line 12 by striking the words "of land" and inserting in lieu thereof the word "or";

Further amend page 6, Section 4, subsection (2), lines 8 and 9, following the word "and" by striking "soils and ground water investigations";

Further amend page 6, Section 4, subsection (2), line 12, following the word "engineer" and before the word "in" by adding the words "or a registered land surveyor as their respective licensing law allows";

Further amend page 7, Section 4, subsection (4), subparagraph (e), lines 13 and 14 by striking them in their entirety and inserting in lieu thereof a new subparagraph (e) which reads as follows "(e) which is made for the purpose of a gift or sale to any member of the landowner's immediate family;"

Further amend page 7, Section 4, subsection (4), following line 14 by adding a new subparagraph to read as follows "(f) which is leased or rented for farming and agricultural purposes."

Further amend page 8, Section 5, subsection (1), line 9, following the word "avoidance" and before the word "of" by adding the words "or minimization", and further amend on line 10 by striking the word "[inordinate]" and inserting in lieu thereof the word "unnecessary", and further amend on line 11 following the word "degradation" by striking the word "[or]" and inserting in lieu thereof the punctuation and words "; and the avoidance of";



Further amend page 8, Section 5, subsection (1), following line 15 by adding the following new paragraph "Prior to adopting or amending subdivision regulations pursuant to this act, the governing body shall submit the proposed regulations or amendments to the division of planning and economic development of the department of intergovernmental relations for review.";

Further amend page 8, Section 5, subsection (2), line 24 by striking the word "[The]" and inserting in lieu thereof "Not later than December 31, 1973, the", and further on line 24 following the word "relations" by inserting the words and punctuation ", through its division of planning and economic development,";

Further amend page 9, Section 5, subsection (2), line 2 by striking "[minimum administrative and review procedures]" and inserting in lieu thereof the following "model subdivision rules and reasonable minimum requirements designed to promote the public health, safety and general welfare";

Further amend page 9, Section 5, subsection (2), line 4, following the word and punctuation "act." by adding the following new sentence "The subdivision rules and minimum requirements shall include detailed criteria for the content of the environmental assessment required by this act.";

Further amend page 9, Section 5, subsection (2), line 5 by striking the word "[department]" and inserting in lieu thereof the words "governing body";

Further amend page 9, Section 5, subsection (2), following line 12, by adding two new subsections to read as follows "(3) In prescribing the minimum contents of the subdivision regulations, the department of intergovernmental relations, through its division of planning and economic development, shall require the submission by the subdivider to the governing body of an environmental assessment.

(4) The environmental assessment shall accompany the preliminary plat and shall include:

(a) a description of every body or stream of surface water as may be affected by the proposed subdivision, together with available ground water information, and a description of the topography, vegetation and wildlife use within the area of the proposed subdivision;

(b) maps and tables showing soil types in the several parts of the proposed subdivision, and their suitability for any proposed developments in those several parts;

(c) a community impact report containing a statement of anticipated needs of the proposed subdivision for local services, including education and buses, roads and maintenance, water, sewage, and solid waste facilities, and fire and police protection;

(d) such additional relevant and reasonable information as may be required by the department through its division of planning and economic development.";

Further amend page 9, Section 5, subsection (3), line 13 by renumbering subsection (3) to be subsection "(5)";

Further amend page 9, Section 5, subsection (4), line 23 by renumbering subsection (4) to read subsection "(6)";

Further amend page 10, Section 5, subsection (5), line 5 by renumbering the subsection (5) to read subsection "(7)", and on line 8 following the word "body" by striking the words "[may accept]" and inserting in lieu thereof the words "shall require";

Further amend page 10, Section 5, subsection (5), following line 13 by adding a new subsection to read as follows "(8)" In the event that any governing body has not adopted subdivision regulations by July 1, 1974, which meet or exceed the prescribed minimum requirements, the department shall, through its division of planning and economic development, no later than January 1, 1975, promulgate reasonable regulations to be enforced by the governing body. If at any time thereafter the governing body adopts its own subdivision regulations, these shall supersede those promulgated by the department but shall be no less stringent";

Further amend page 10, Section 6, subsection (1), line 25 following the word "lots" and before the word "are" by adding the words "or parcels";

Further amend page 13, Section 8, subsection (2), lines 24 and 25 following the word "within" by striking the words and figures "[forty five (45) days]" and inserting in lieu thereof the words and figures "sixty (60) days";

Further amend page 14, Section 8, subsection (3), line 11, following the word "welfare" by adding the punctuation and words ", including the environmental assessment,";

Further amend page 16, Section 9, subsection (2), line 9, following the word "it" by striking the words "[for record]"; and further amend line 9, following the word "when" by adding the punctuation and words ", and only when,"; and further amend on line 11, following the word "plat" by adding the words "and to the terms of this act and regulations adopted pursuant thereto".

And as amended, Senate Bill No. 208 do pass.

FOR THE SENATE:  
LYNCH  
FLYNN  
TURNAGE

FOR THE HOUSE:  
SHELDEN  
GUNDERSON  
SCHYE

Shelden moved for adoption of the Conference Committee report and that the Committee be dissolved.

As a substitute motion, Driscoll moved that the Conference Committee report be not adopted.

Motion carried by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kosen, Kvaalen, Lee, Lombardi, Lund, Lynch, McKittrick, Mehrens, Menahan, Murphy, Prevost, Regan, Roberts, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Zimmer. Total 50.

Noes: Aageson, Ainsworth, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, East, Gunderson, Holtz, Hubing, Jones, Kendall, Kessner, Kimble, Kolstad, Laas, Lien, Lockrem, Lucas, Lundgren, Manuel, Marks, Mercer, Norman, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Ulmer, Walborn, Mr. Speaker. Total 39.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Clemow, Cox, Ellerd, Galt, Hall, Nichols, Olson, Warfield, Yardley. Total 9.

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## MESSAGES FROM THE GOVERNOR

March 19, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

Pursuant to Section 43-504, R.C.M. 1947, I wish to inform this Honorable Body that on March 17, 1973 at 4:00 p.m. I returned H. B. 226 without my signature, and accompanied by my veto message, to the Honorable Harold Gerke, Speaker of the House of Representatives.

Sincerely,

THOMAS L. JUDGE  
Governor

March 17, 1973

Honorable Bill Christiansen  
President of the Senate  
State Capitol

Honorable Harold Gerke  
Speaker of the House of Representatives  
State Capitol

Sirs:

In exercising the constitutional powers granted me as the Governor of Montana, I hereby veto House Bill 226, "an act to amend Section 94-9825, R.C.M. 1947, to provide for minimum salaries for parole officers employed by the State Board of Pardons of the State of Montana." I exercise this veto for the following reason.

The current appropriation to the State Board of Pardons authorizes an increase in all present salaries at the rate of 5%. In addition, the House and Senate Finance Committees have increased the appropriation for the Board of Pardons by \$75,000 for the next biennium in order that the Board may hire six additional parole officers. House Bill 226 will supersede the 5% salary increase for parole officers by establishing a minimum salary that is 16% to 24% above the current salary figures.

Furthermore, the Bill was approved by the Legislature without the benefit of a fiscal note. Information provided to me shows that the cost of paying the higher salaries authorized in this measure would amount to \$100,000 in the biennium. Clearly, the State Board of Pardons would have to set aside plans to hire six additional officers at a time when they are badly needed. The only other solution would be deficit spending on the part of the Board. This latter solution is completely unacceptable.

I have promised the people of Montana I would promote fiscal responsibility in state government. To sign this measure would mean I have failed to maintain that commitment.

Sincerely,

THOMAS L. JUDGE  
Governor

## MESSAGES FROM THE SENATE

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 470, introduced by Groff and Moore, was this day read three several

times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 17, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Free Joint Conference Committee report on Senate Bill No. 124 and the Committee has been dissolved.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Norman moved that the Conference Committee on House Bill No. 463 be dissolved and that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate.

Motion carried.

Hall moved that the House reconsider House Bill No. 226 and that the Governor's veto be overridden.

The motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Castles, Colberg, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Kendall, Kimble, Kolstad, Kvaalen, Lee, Lockrem, Lucas, McKittrick, Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Regan, Roberts, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 62.

Noes: Bardanouve, Bennetts, Brand, Campbell, Driscoll, Flynn, Jacobsen, Jones, Kessner, Kosena, Laas, Lien, Lombardi, Lund, Lundgren, Lynch, Menahan, Nichols, Prevost, Quilici, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Ulmer, Mr. Speaker. Total 28.

Excused: Fleming, Marbut. Total 2.

Absent or not voting: Clemow, Cox, Galt, Hageman, Johnston, Olson, Walborn, Zimmer. Total 8.

Laas moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on House Bill No. 57.

Motion carried.

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on House Bill No. 55.

Motion carried.

Fasbender moved that the Speaker appoint Conference Committees to meet with like committees from the Senate on Senate Amendments to House Bill No. 509 and House Amendments to Senate Bill No. 208.

Motion carried.



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## UNFINISHED BUSINESS

The Speaker made the following appointments:

Legislative Council for 1973-1974 interim: Bardanouve, Cox, Marks, Gerke.

Conference Committee on House Bill No. 55: Jacobsen, chairman, Regan, Nichols.

Conference Committee on House Bill No. 57: Laas, chairman, Bardanouve, East.

Conference Committee on House Bill No. 509: Fasbender, chairman; Norman, Fagg.

Free Conference Committee on House Bill No. 463: Norman, chairman; Yardley, Olson.

Conference Committee on House Bill No. 220: Cotton, chairman; Mehrens, Cox.

Conference Committee on House Bill No. 211: Greely, chairman; Edland, Turner.

Conference Committee on Senate Bill No. 254: Johnston, chairman; Jacobsen, Galt.

Free Conference Committee on Senate Bill No. 178: Healy, chairman; Hodges, Mercer.

Fasbender moved that the House adjourn until 9:00 a.m., March 20, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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SPECIAL SESSION EIGHTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 20, 1973

House convened, pursuant to adjournment, at 9:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Selstad, Clemow, Fleming, Marbut, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 7th Legislative Day, find the same to be correct.

QUILICI, Chairman

The Speaker signed the following Senate Bills in open session: 5, 12, 182, 339, 377, 455.

## MOTIONS AND RESOLUTIONS

Kvaalen moved that the House proceed on Third Reading on all appropriation bills and amendments to appropriation bills.

Motion failed.

Swanberg moved that Senate Bill No. 54 be taken from Committee on Finance and Claims and be rereferred to Long Range Building Committee.

As a substitute motion, Hall moved that the Committee on Finance and Claims and the Long Range Building Committee get together to work out budgetary problems.

Substitute motion carried.

Laas moved that Senate Bill No. 413 be referred to Joint Gambling Committee to work on during the interim.

The Speaker referred the motion to the Rules Committee.

Baucus, having voted on the prevailing side in failing to adopt a Joint Conference Committee report on Senate Bill No. 208, moved that the House reconsider its action.

A roll call vote was requested by Baucus with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Bardanouve, Brand, Colberg, Driscoll, Fagg, Greely, Hageman, Huennekens, Kosena, Lockrem, McKittrick, Mehrens, Menahan, Roberts, Selstad, Turman, Watt. Total 17.

Excused: Clemow, Marbut. Total 2.

Absent or not voting: Burnett, Ellerd. Total 2.

Paired: Selstad, no, Fasbender, aye; Fleming, aye, Driscoll, no.

Fasbender moved that Rules be suspended and that House Bill No. 333 be considered correctly printed and be placed on Second Reading this day.

Motion carried.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 97 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz,

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Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Ellerd. Total 1.

Senate Amendments to House Bill No. 217 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bardanouve, Ellerd, Nichols. Total 3.

Fasbender moved that the House recess until 11:00 a.m. this day.

Motion carried. House recessed.

House resumed. Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 588 and 595.

QUILICI, Chairman

March 20, 1973

Mr. Speaker: We, your Committee on Rules, having had under consideration the motion of Representative Laas to defer consideration of Senate Bill No. 413, respectfully report that the motion is out of order and that the correct motion, should Representative Laas desire to make it, is that the bill be taken from second reading and referred to a standing committee.

HALL, Vice-Chairman

Report adopted.

March 14, 1973

Mr. Speaker: We, your Committee on Long Range Building, having

had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 do not pass.

JOHNSTON, Chairman

Johnston moved that the Committee report be adopted.

As a substitute motion, Bennetts moved that House Bill No. 457 be taken from Committee on Long Range Building and be rereferred to Committee on Finance and Claims.

A roll call vote, with the Ayes and Nays spread on the Journal, was requested by Bennetts. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baucus, Bell, Bennetts, Bradley, Brown, Colberg, Cox, Driscoll, Fagg, H. Harper, R. Harper, Healy, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Laas, Lee, Lien, Lombardi, Lund, Lynch, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Seifert, Shelden, Towe, Watt, Yardley, Zimmer. Total 40.

Noes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Brand, Burnett, Castles, Cotton, East, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, Hodges, Holtz, Hubing, Kessner, Kolstad, Kosena, Kvaalen, Lockrem, Lucas, Lundgren, McKittrick, Mercer, Nichols, Olson, Rolfe, Schepens, Schye, Staigmillar, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Mr. Speaker. Total 46.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bardanouve, Campbell, Edland, Ellerd, Greely, Kendall, Smith, Stoltz, Turman, Warfield. Total 10.

Thereupon, the Committee report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Brand, Burnett, Campbell, Cotton, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Healy, Hodges, Holtz, Hubing, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, McKittrick, Manuel, Mercer, Norman, Olson, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Stephens, Swanberg, Tierney, Ulmer, Walborn, Yardley, Mr. Speaker. Total 55.

Noes: Baucus, Bell, Bennetts, Bradley, Brown, Colberg, Cox, Driscoll, Fagg, H. Harper, R. Harper, Holmes, Huennekens, Jacobsen, Lien, Lund, Lynch, Marks, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Roberts, Towe, Watt, Zimmer. Total 28.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bardanouve, Castles, Edland, Fasbender, Greely, Halvorson, Jones, Nichols, Smith, Stoltz, Turman, Turner, Warfield. Total 13.

March 19, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 618, respectfully report as follows: That House Bill No. 618 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

WATT, Chairman

Report adopted.

March 20, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 46, 169, 343, 458, 532, 578, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House



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and President of the Senate, were this day, at the hour of 10:00 a.m., delivered to the Governor for his approval.

QUILICI, Chairman

## REPORTS OF SELECT COMMITTEES

March 19, 1973

Senate Bill No. 208

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 208, beg leave to report as follows:

That we met this day and considered House Natural Resources Committee amendments to Senate Bill No. 208, dated March 5, 1973, and recommend as follows:

That the House recede from all of the House Natural Resources Committee amendments to Senate Bill No. 208 dated March 5, 1973.

Your Joint Conference Committee recommend that Senate Bill No. 208 be amended as follows:

Amend page 1, line 7, title, following the word "regulations" and before the punctuation "," by adding the following "and in default thereof providing for the promulgation of departmental minimum requirements; providing for the submission of environmental assessments";

Further amend page 3, Section 3, Subsection (6), line 7, following the words "division of" by striking the words "[a tract or parcel of]" and on line 8 following the word and punctuation "lots," by adding the word and punctuation "parcels,";

Further amend page 3, Section 3, Subsection (7), line 10, following the words "means a" by reinserting the words "neat and";

Further amend page 3, Section 3, Subsection (7), line 11, following the word "subdivision" by reinserting the following: "showing the layout of streets, alleys, lots, blocks, and other elements of a subdivision which furnish a basis for review by a governing body,";

Further amend pages 4 and 5, Section 3, Subsection (12), lines 8 through 25 on page 4, and lines 1 through 6 on page 5, by striking all of said lines being Subsection (12) in its entirety and inserting in lieu thereof: "(12)" "Subdivision" means the division of land, or land so divided, into two (2) or more parcels, whether contiguous or not, any of which is ten (10) acres or less, exclusive of public roadways, in size, without regard to the method of description thereof, in order that the title or possession of the parcels or any interest therein may be sold, rented, leased, or otherwise conveyed either immediately or in the future, and shall include any re-subdivision of land; and shall further include any condominium or areas providing multiple space for camping trailers, house trailers or mobile homes; provided further that a division of land is a subdivision when the division creates a second or any subsequent parcel for the purpose of sale, rent, lease, or other conveyance from a tract of land held in single or undivided ownership on July 1, 1973, where any of the parcels segregated from the original tract is ten (10) acres or less, exclusive of public roadways, in size, without regard to the method of description thereof. The plat of a subdivision so created shall show all of the parcels segregated from the original tract whether contiguous or not.

"Subdivision" shall include any condominium or areas providing multiple space for camping trailers, house trailers, or mobile homes, regardless of the size of the parcel of land upon which the same is situated.";

Further amend page 5, Section 4, Subsection (1), line 8, following the word "all" by striking the word "[subdivisions]" and insert in lieu thereof the words "division of real property";

Further amend page 5, Section 4, Subsection (1), line 12, by striking the words "[or divisions]" and inserting in lieu thereof the words "into lots, tracts, or parcels any of which is ten (10) acres or less in size" and further amend on line 12 by striking the words "[of land]" and inserting in lieu thereof the word "or";

Further amend page 6, Section 4, Subsection (2), lines 8 and 9, following the word "and" by striking "[soils and ground water investigations]";

Further amend page 6, Section 4, Subsection (2), line 12, following the word "engineer" and before the word "in" by adding the words "or a registered land surveyor as their respective licensing laws allow";

Further amend page 7, Section 4, Subsection (4), subparagraph (e), lines 13 and 14 by striking them in their entirety and inserting in lieu thereof a new subparagraph (e) which reads as follows "(e) which is made for the purpose of a gift or sale to any member of the landowner's immediate family;"

Further amend page 7, Section 4, Subsection (4), following line 14 by adding a new subparagraph to read as follows "(f) which is leased or rented for farming and agricultural purposes."

Further amend page 8, Section 5, Subsection (1), line 9, following the word "avoidance" and before the word "of" by adding the words "or minimization", and further amend on line 10 by striking the word "[inordinate]" and inserting in lieu thereof the word "unnecessary", and further amend on line 11 following the word "degradation" by striking the word "[or]" and inserting in lieu thereof the punctuation and words "; and the avoidance of";

Further amend page 8, Section 5, Subsection (1), following line 15 by adding the following new paragraph "Prior to adopting or amending subdivision regulations pursuant to this act, the governing body shall submit the proposed regulations or amendments to the division of planning and economic development of the department of intergovernmental relations for review.";

Further amend page 8, Section 5, Subsection (2), line 24, by striking the word "[The]" and inserting in lieu thereof "Not later than December 31, 1973, the", and further on line 24 following the word "relations" by inserting the words and punctuation ", through its division of planning and economic development,";

Further amend page 9, Section 5, Subsection (2), line 2, by striking "[minimum administrative and review procedures]" and inserting in lieu thereof the following "model subdivision rules and reasonable minimum requirements designed to promote the public health, safety and general welfare";

Further amend page 9, Section 5, Subsection (2), line 4, following the word and punctuation "act." by adding the following new sentence "The subdivision rules and minimum requirements shall include detailed criteria for the content of the environmental assessment required by this act.";

Further amend page 9, Section 5, Subsection (2), line 5, by striking the word "[department]" and inserting in lieu thereof the words "governing body";

Further amend page 9, Section 5, Subsection (2), following line 12, by adding two new Subsections to read as follows "(3) In prescribing the minimum contents of the subdivision regulations, the department of inter-governmental relations, through its division of planning and economic development, shall require the submission by the subdivider to the governing body of an environmental assessment.

(4) The environmental assessment shall accompany the preliminary plat and shall include:

(a) a description of every body or stream of surface water as may be affected by the proposed subdivision, together with available ground water information, and a description of the topography, vegetation and wildlife use within the area of the proposed subdivision;

(b) maps and tables showing soil types in the several parts of the proposed subdivision, and their suitability for any proposed developments in those several parts;

(c) a community impact report containing a statement of anticipated needs of the proposed subdivision for local services, including education and busing, roads and maintenance, water, sewage, and solid waste facilities, and fire and police protection;

(d) such additional relevant and reasonable information as may be required by the department through its division of planning and economic development.”;

Further amend page 9, Section 5, Subsection (3), line 13 by renumbering Subsection (3) to be Subsection “(5)”;

Further amend page 9, Section 5, Subsection (4), line 23 by renumbering Subsection (4) to read Subsection “(6)”;

Further amend page 10, Section 5, Subsection (5), line 5, by renumbering the Subsection (5) to read Subsection “(7)”, and on line 8 following the word “body” by striking the words “[may accept]” and inserting in lieu thereof the words “shall require”;

Further amend page 10, Section 5, Subsection (5), following line 13 by adding a new Subsection to read as follows “(8) In the event that any governing body has not adopted subdivision regulations by July 1, 1974, which meet or exceed the prescribed minimum requirements, the department shall, through its division of planning and economic development, no later than January 1, 1975, promulgate reasonable regulations to be enforced by the governing body. If at any time thereafter the governing body adopts its own subdivision regulations, these shall supersede those promulgated by the department but shall be no less stringent.”;

Further amend page 10, Section 6, Subsection (1), line 25, following the word “lots” and before the word “are” by adding the words “or parcels”;

Further amend page 13, Section 8, Subsection (2), lines 24 and 25 following the word “within” by striking the words and figures “[forty-five (45) days]” and inserting in lieu thereof the words and figures “sixty (60) days”;

Further amend page 14, Section 8, Subsection (3), line 11, following the word “welfare” by adding the punctuation and words “, including the environmental assessment,”;

Further amend page 16, Section 9, Subsection (2), line 9, following the word “it” by striking the words “[for record]” and further amend line 9 following the word “when” by adding the punctuation and words “, and

only when,"; and further amend on line 11 following the word "plat" by adding the words "and to the terms of this act and regulations adopted pursuant thereto".

And, as amended, Senate Bill No. 208 do pass.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
LYNCH  
FLYNN  
TURNAGE

FOR THE HOUSE:  
SHELDEN  
GUNDERSON  
SCHYE

Shelden moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Cox, Driscoll, Flynn, Kosena, Lockrem, Roberts. Total 6.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bardanouve, Edland, Fasbender, Greely, Haines, Hall, Kimble, Nichols, Smith, Turman. Total 10.

March 19, 1973

Senate Bill No. 214

#### JOINT CONFERENCE COMMITTEE REPORT (Part 2)

#### (HOUSE COMMITTEE OF THE WHOLE AMENDMENT)

Mr. President and Speaker of the House:

We, your Joint Conference Committee of the Senate and House appointed to meet on House Committee of the Whole Amendment on Senate Bill No. 214, beg leave to report as follows:

That we met this day and considered House Committee of the Whole amendments to Senate Bill No. 214, dated March 5, 1973 and recommend as follows:

That the Senate accede to the House Committee of the Whole amendments of March 5, 1973.

And that Senate Bill No. 214 be passed, as so amended.

FOR THE SENATE:  
BOYLAN, Chm.  
JAMES  
DESCHAMPS

FOR THE HOUSE:  
KENDALL, Chm.  
NORMAN



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Kendall moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bardanoue, Cox, Edland, Greely, Haines, Hall, Jacobsen, Kimble, Lundgren, Marks, Nichols, Smith, Turman. Total 13.

House Bill No. 55

JOINT CONFERENCE COMMITTEE REPORT

March 20, 1973

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 55, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and Claims Amendment to House Bill No. 55, dated March 15, 1973, and Senate Committee of the Whole Amendment to House Bill No. 55, dated March 16, 1973, and recommend as follows:

That the House accede to the Senate Committee on Finance and Claims Amendment to House Bill No. 55, dated March 15, 1973;

That the Senate recede from the Senate Committee of the Whole Amendments to House Bill No. 55, dated March 16, 1973;

And that House Bill No. 55, as so amended, be concurred in.

FOR THE SENATE:  
THIESSEN  
HIMSL  
GRAHAM

FOR THE HOUSE:  
JOHNSON  
REGAN  
NICHOLS

Jacobsen moved for adoption of the Conference Committee Report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen,

Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Bradley, Colberg, Edland, Greely, Nichols, Smith, Turman. Total 7.

## MESSAGES FROM THE GOVERNOR

March 17, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 5, 21, 49, 125, 197, 199, 270, 275, 301, 313, 349, 403, 422, 428, 468, 502, 571, 574 and 581.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 19, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 25, 69, 96, 171, 279, 286, 309, 310, 314, 335, 358, 375, 392, 407, 423, 440, 444, 471 and 488.

House Joint Resolutions Nos.: 1 and 31.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

## MESSAGES FROM THE SENATE

March 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did accede to the request of the House and the President was authorized to appoint a Conference Committee of three to meet with a

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like committee from the House to confer on Senate amendments to House Bill No. 509.

The President appointed the following members:

Senator McKeon, Chairman  
Senator McOmber  
Senator Mathers.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Joint Conference Committee Reports were this day adopted on roll call vote and the Committees were dissolved.

Conference Committee on Senate Bill No. 129

Conference Committee on Senate Bill No. 28

Conference Committee on Senate Bill No. 208

Conference Committee on Senate Bill No. 109

Free Conference Committee on House Bill No. 334

Conference Committee on House Bill No. 131

Free Conference Committee on House Bill No. 575.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President was authorized to appoint a Conference Committee of three to meet with a like committee from the House to confer on Senate amendments to House Bill No. 55.

The President appointed the following members:

Senator Thiessen, Chairman  
Senator Graham  
Senator Himsl.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President was authorized to appoint a Conference Committee of three to

meet with a like committee from the House to confer on Senate Amendments to House Bill No. 57.

The President appointed the following members:

Senator Bollinger, Chairman  
 Senator Sorensen  
 Senator Deschamps.

Respectfully,

JOHN N. HANSON  
 Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, that the Joint Conference Committee on House Bill No. 463 be made a Free Conference Committee composed of the same members from the Senate to meet with a like Committee from the House.

Respectfully,

JOHN N. HANSON  
 Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 477 failed to be concurred in on third reading, the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
 Secretary of the Senate

March 19, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 469, introduced by Carl, et al, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

JOHN N. HANSON  
 Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Laas moved to take Senate Bill No. 413 from Second Reading and re-refer it to Committee on Business and Industry.

Hall moved the previous question. Motion failed.

Thereupon, the motion by Laas carried.

Hall, having voted on the prevailing side on the previous motion, moved that the House reconsider its action on Senate Bill No. 413.

Motion failed.



## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Bill No. 619, introduced by Bell, Kvaalen, Brand, Cox, Mehrens, Lockrem, Lynch, Menahan, Marks, Baeth, Hubing, Quilici, Lucas, Lee, Lombardi, Halvorson, Healy, Marbut, Barrett, Schye, Colberg, R. Harper: A bill for an act entitled: "An act to provide for an honorarium to each resident of Montana in military service in the Vietnam area during the Vietnam War between August 5, 1964 and March 31, 1973; to provide that the honorarium shall be in the form of a credit against state personal income tax for the taxable years 1974, 1975 and 1976; and to provide penalties for violations." Referred to Committee on Taxation.

Senate Bill No. 469, introduced by Carl, Lynch, Turnage, Devine: A bill for an act entitled: "An act amending Section 11-203, R.C.M. 1947, revising the procedures for the organization of cities and towns; and providing an effective date." Referred to Committee on Local Government.

Senate Bill No. 467, introduced by Groff, Lynch: A bill for an act entitled: "An act amending Section 82-1918, R.C.M. 1947; providing for contracts for the lease-purchase of buildings to be made for longer than three years; and authorizing the state purchasing agent subject to the approval of the Legislature as part of the long-range building program to enter into contracts for the lease-purchase of buildings." Referred to Committee on Finance and Claims.

Senate Bill No. 468, introduced by Zody: A bill for an act entitled: "An act to appropriate from the general fund to the department of health and environmental sciences, all moneys received under House Bill No. 112, of the First Session of the Forty-Third Legislative Assembly of the State of Montana." Referred to Committee on Finance and Claims.

Senate Bill No. 470, introduced by Groff, Moore: A bill for an act entitled: "An act to amend Section 16-1015, R.C.M. 1947, to increase the maximum allowable county general fund mill levy." Referred to Committee on Taxation.

Fasbender moved that the House stand in recess until 1:30 p.m. this day. Motion carried.

House recessed.

## AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 619, respectfully report as follows: That House Bill No. 619 be held over until the Second Half of the 43rd Legislative Session in January, 1974.

WATT, Chairman

Report adopted.

March 20, 1973

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 470, respectfully report as follows: That Senate Bill No. 470 be concurred in.

WATT, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 20, 1973

House Bill No. 220

## JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 220, beg leave to report as follows:

That we met this day and considered Senate Committee on Education amendments to House Bill No. 220 and recommend as follows:

That the House accede to the Senate Committee on Education amendments to House Bill No. 220;

And that House Bill No. 220, as so amended, be concurred in.

FOR THE SENATE:  
JAMES, Chairman  
BOYLAN  
KLINDT

FOR THE HOUSE:  
COTTON  
COX  
MEHRENS

Cotton moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 80.

Noes: None.

Excused: Clemow, Fleming, Marbut, Selstad. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Bennetts, Brand, Ellerd, Hall, H. Harper, Johnston, Kosena, Lien, Lockrem, Lynch, Nichols, Staig-miller, Watt, Yardley. Total 16.

## MOTIONS AND RESOLUTIONS

Haines moved that House Bill No. 159 be taken from the Select Committee on Gambling and be placed on Second Reading.

A roll call vote with the Ayes and Nays spread on the Journal, was requested by Haines. Sufficient seconds arose.

As a substitute motion, Lynch moved that House Bill No. 159 be referred to Committee on Business and Industry. Lynch asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Barrett, Castles, Clemow, Cox, Driscoll, Ellerd, Forsgren, Galt, Gunderson, Hageman, R. Harper, Healy, Jones, Kolstad, Kosena,

Laas, Lee, Lombardi, Lynch, Mehrens, Menahan, Murphy, Quilici, Schye, Seifert, Stephens, Tierney, Turner, Ulmer, Mr. Speaker. Total 31.

Noes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, East, Edland, Fagg, Fasbender, Flynn, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kvaalen, Lien, Lockrem, Lund, McKittrick, Manuel, Marks, Mercer, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Zimmer. Total 60.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Bardanouve, Johnston, Lucas, Lundgren, Nichols, Walborn. Total 6.

Paired: Clemow, aye; Lockrem, no.

Thereupon, the original motion by Haines, passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, East, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, Holmes, Holtz, Huennekens, Johnston, Kendall, Kimble, Kolstad, Lien, Lockrem, Lucas, Lund, McKittrick, Manuel, Mercer, Norman, Prevost, Regan, Rolfe, Schepens, Seifert, Staigmiller, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley. Total 53.

Noes: Barrett, Campbell, Castles, Clemow, Cox, Driscoll, Edland, El-lerd, Flynn, Galt, R. Harper, Healy, Hodges, Hubing, Jacobsen, Jones, Kessner, Kosena, Kvaalen, Laas, Lee, Lombardi, Lundgren, Lynch, Marks, Mehrens, Menahan, Murphy, Olson, Quilici, Roberts, Schye, Smith, Stephens, Tierney, Turner, Ulmer, Walborn, Mr. Speaker. Total 39.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Bardanouve, Halvorson, Nichols, Shelden, Zimmer. Total 5.

Paired: Clemow, no; Lockrem, aye.

Johnston moved that House Bill No. 522 be taken from the Long Range Building Committee and be rereferred to Committee on Finance and Claims.

Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Marks in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 72 be moved to the bottom of the board.

That House Bill No. 589 do pass (49-45).

That House Resolution No. 36 be adopted (70-12).

That House Bill No. 333 do pass (76-8).

That House Bill No. 159 do not pass (50-45).

That Senate Bill No. 72 be amended on page 5, Section 4, Subsection (4) (A), line 19, of the Senate Third Reading Bill, after "October 1" by inserting the word "upon", and

Further amend on page 6, Section 4, Subsection (c), lines 10 and 11, after "then the" by striking "[County Assessor]" and inserting in lieu thereof "department of revenue or its agent", and (77-0)

Further amend on page 6, Section 5, line 12, after "Section 5." by striking "[the County Commissioners in]" and inserting in lieu thereof the word "In", and

Further amend on page 6, Section 5, line 17, after "issue" by inserting "the department of revenue", and

Further amend on page 6, Section 5, lines 18 and 19, after "agricultural use" by striking "[as determined by the state department of revenue]", and (78-0)

Further amend on page 7, Section 6 (1), line 10, after "by the" by striking "[County Commissioners]" and inserting in lieu thereof, "department of revenue", and

Further amend on page 7, Section 6 (4), line 25, after "multiplying" by inserting "the taxable value computed from", and (83-0)

Further amend on page 8, Section 7, lines 8 and 9, after "judgment of the" by striking "[County Commissioners or County Board of Equalization]" and inserting in lieu thereof "department of revenue or local tax appeal board". (77-0)

And, as amended, be concurred in (81-5).

That Senate Amendments to House Bill No. 350 be not concurred in (69-6).

That the Committee rise and report.

MARKS, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

#### House Resolution No. 36

Introduced by Holmes, Gerke, Baucus, R. Harper, Turman, Kimble, Stoltz.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION EXTENDING THE COMMUNITY MENTAL HEALTH CENTERS ACT BEYOND JUNE 30, 1973; TO APPROPRIATE FUNDS FOR NEW FEDERALLY APPROVED STAFFING GRANTS; AND TO URGE THE PRESIDENT OF THE UNITED STATES TO SIGN SUCH EXTENSION INTO LAW AND RELEASE SUCH APPROPRIATION FOR APPROVED USE.

WHEREAS, the President in a press release on January 29, 1973, stated: "Over the past nine years, NIMH has stimulated the establishment of 515 community mental health centers across the country. This was the principal thrust of a movement to treat [person] persons with emotional illness near their homes, often on an outpatient basis, including care after a period of hospitalization, accompanied by consultation and education pro-



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grams to avert breakdown. The aim was to move away from costly and ineffective long-term and custodial care in state mental institutions. The workability of the community mental health center concept has been thoroughly demonstrated and a large portion of a national system will have been put into place when the eight-year grants provided for in current law are concluded. The administration proposes that the Community Mental Health Centers Act be allowed to expire on June 30, 1973, on the ground that the current momentum behind the community mental health concept should be adequate to maintain existing centers and stimulate the establishment of new centers," and

WHEREAS, only 515 community mental health centers of the 2,000 envisaged for the United States have been established and only three of the five centers for the State of Montana have become operational, and

WHEREAS, it is not feasible to establish new centers in Montana without federal staffing support, and

WHEREAS, the State of Montana contains two of only 31 staffing grants under Part B of the Community Mental Health Centers Act approved for funding during fiscal 1972, but not yet federally funded.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Congress of the United States is requested to extend the Community Mental Health Centers Act beyond June 30, 1973, and to appropriate funds for new federally approved staffing grants; and the President of the United States is urged to sign the renewal act and to release appropriated funds for designated use.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to President Richard M. Nixon, the Honorable Mike Mansfield, Lee Metcalf, Richard Shoup, and John Melcher.

(Material in brackets denotes cancelled type.)

—END—

### REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 254, 140, 149.

QUILICI, Chairman

I have examined House Bill No. 149 introduced by me and find the same to be correct.

R. HARPER

I have examined House Bill No. 140 introduced by me and find the same to be correct.

BRAND

I have examined House Bill No. 254 introduced by me and find the same to be correct.

WATT

The Speaker signed the following House Bills in open session: 254, 149, 140.

March 20, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 37, do hereby report that said bill, together

with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 3:20 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

## REPORTS OF SELECT COMMITTEES

March 20, 1973

Senate Bill No. 178

### FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on Senate Bill No. 178, beg leave to report as follows:

That we met this day and considered the Senate and House Committee on Fish and Game amendments to Senate Bill No. 178 and recommend as follows:

Amend Section 2, page 4, line 22, by striking the word "[machinery]" and further amend on lines 23 and 24 by striking the words and under lining "[of more than eight (8) horsepower]"

And further amend Section 3, Subsection (a), page 5, line 21, by striking the words and figures "[two dollars (\$2)]" and insert in lieu thereof the following words and figures "one dollar (\$1). After April 30, 1974, all applications of registration of motorboats of more than eight (8) horsepower shall be accompanied by a fee of two dollars (\$2) and all applications of registration of motorboats of eight (8) horsepower or less shall be accompanied by a fee of one dollar (\$1)."

And that Senate Bill No. 178, as so amended, do pass.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
KEENAN  
BREEDEN

FOR THE HOUSE:  
HEALY  
HODGES  
MERCER

Healy moved for adoption of the Conference Committee report and that the committee be dissolved.

The report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, Edland, Ellerd, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Barrett, Cotton, East, Lien, Lockrem, Zimmer, Hageman. Total 7.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Burnett, Colberg, Fagg, H. Harper, Kolstad, Lundgren, Mehrens, Olson, Regan, Swanberg, Ulmer. Total 13.

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## UNFINISHED BUSINESS

The Speaker announced that Representative Johnston had resigned from the Conference Committee on Senate Bill No. 254 and that Representative Staigmiller would replace Johnston.

Fasbender moved that the House stand in recess until 5:00 P.M. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 469, respectfully report as follows: That Senate Bill No. 469 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 20, 1973

House Bill No. 509

## JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 509, third reading, blue copy bill, beg leave to report as follows:

That we met this day and considered Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, and recommend as follows:

That the Senate recede from that portion of the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, to the title reading as follows: "For a Montana Conservation and Reclamation Tax;"

And that the House accedes to the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, to the title reading as follows: "and providing for a severability clause."

That the House accedes to the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, which amends page 4, Section 1, Subsection (a), line 1, to read "twelve cents (\$.12)"

That the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending Section 1, Subsection (c), page 4, line 7, of the blue bill, be amended as follows:

striking the words and figure "[twenty-seven cents (\$.27)]" and inserting in lieu thereof the words and figures "thirty-four cents (\$.34)"

That the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending Section 1, Subsection (d), page 4, lines 9 and 10 of the blue bill, be amended as follows:

striking the words and figures "[thirty-three cents (\$.33)]" and inserting in lieu thereof the words and figures "forty cents (\$.40)"

That the Senate recede from that Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending Section 1, page 4, adding a new Subsection (e) by striking Subsection (e) in its entirety.

That the House accede to the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending page 5, lines 11, 12, 13, 14 and 15 which reinserted the stricken material as follows:

"Section 2. There is a new Section to be numbered 84-1309.1, R.C.M. 1947, which reads as follows:

84-1309.1. Disposal of license taxes. License taxes collected under the provisions of this Chapter are allocated as follows:"

That the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending page 5, line 16, be amended by striking the words and figure "[one-half cent ( $\frac{1}{2}\text{¢}$ )]" and inserting in lieu thereof the words and figure "one cent (1¢)".

That the House accede to the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, amending page 5, lines 23, 24, and 25, which reinserted the following language:

"(2) All other revenues from license taxes collected under the provisions of this Chapter shall be deposited to the credit of the general fund of the state."

That the House accede to the Senate Committee on Taxation Amendment to House Bill No. 509, dated March 16, 1973, creating a new Section known as Section 3.

And that House Bill No. 509, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
McKEON  
McOMBER

FOR THE HOUSE:  
FASBENDER  
NORMAN  
FAGG

Fasbender moved for adoption of the Conference Committee report and that the Committee be dissolved.

The report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennkens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Sheldon, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Asbjornson, Barrett, Burnett, Campbell, Clemow, East, Ellerd, Forsgren, Galt, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lundgren, Mercer, Olson, Rolfe, Schye, Seifert, Smith, Turner, Walborn. Total 23.

Excused: Marbut, Selstad. Total 2.

Absent or not voting: Castles, Marks. Total 2.

Paired: Fleming, aye, Kvaalen, no; Lynch, aye, Forsgren, no; Holmes, aye; Schye, no.



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House Bill No. 15

JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 15, beg leave to report as follows:

That we met March 19 and considered Senate Committee on Taxation amendment of March 8, 1973, to House Bill No. 15. This Joint Conference Committee recommends as follows:

That the Senate recede from all of the Senate Committee on Taxation amendments of March 8, 1973.

That House Bill No. 15 be concurred in without the Senate Committee on Taxation amendment.

FOR THE HOUSE:  
YARDLEY  
SWANBERG  
FAGG

FOR THE SENATE:  
McGOWAN  
TURNAGE  
McOMBER

Yardley moved for adoption of the Conference Committee report and that the committee be dissolved.

The report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staig-miller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Wal-born, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Barrett, Burnett, Jones, Kolstad, Rolfe, Turner. Total 6.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Bardanouve, Castles, Lynch. Total 3.

MESSAGES FROM THE GOVERNOR

March 20, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos. 17, 68, 107, 214, 241, 303, 363, and 469.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate on House Bill No. 350.

Motion carried.

Fasbender moved that Rules be suspended and place all bills that were on Second Reading this day, on Third Reading.

Motion carried.

Representative Norman reported that the Free Conference Committee on House Bill No. 463 could not agree and therefore should be dissolved.

Therefore, Fasbender moved that the Speaker appoint a new Free Conference Committee to meet with a like committee from the Senate on House Bill No. 463.

Motion carried.

## REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 be amended as follows:

Amend on page 12, Section 5, line 1, by inserting before the word "dollars" the words "two million five hundred thousand", and inserting on the same line, within the parenthesis, the figures "\$2,500,000".

And, as amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 20, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 467, respectfully report as follows: That Senate Bill No. 467 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 20, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 468, respectfully report as follows: That Senate Bill No. 468 be concurred in.

BARDANOUE, Chairman

Report adopted.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Resolution No. 41, introduced by Bardanoue: A Resolution of the House of Representatives of the State of Montana requesting the highway department and the interim committee on motor pool operations, improvement, to utilize the findings of the legislative audit as soon as they become available. Referred to Committee on Highways and Transportation.

House Resolution No. 42, introduced by Fasbender, Kvaalen: A Resolution of the House of Representatives of the State of Montana directing that the chambers, offices, committee rooms, and work areas and their

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equipment and furnishings be reserved for use only by the members of the legislature, its officers, committees, and staff during a legislative interim. Referred to Committee on Legislative Administration.

House Bill No. 620, introduced by Bardanouve: A bill for an act entitled: "An act providing that special education moneys may be expended only for special education programs; providing accountability for such moneys; and providing that unexpended moneys may carry over from year to year." Referred to Committee on Finance and Claims.

House Bill No. 621, introduced by Brand: A bill for an act entitled: "An act amending Section 66-3208, R.C.M. 1947; classifying the level of experience required for licensing as a psychologist; and providing that certain persons employed as psychologists by the state on the effective date of this act may be licensed as psychologists." Referred to Committee on Public Health, Welfare and Safety.

## THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 333 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Manuel, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Ainsworth, Cox, East, Glennen, Greely, Hubing, Jones, Lund, Lundgren, McKittrick. Total 10.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Castles, Lynch, Marks, Walborn. Total 4.

House Bill No. 589 was passed by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Glennen, Greely, Gunderson, Hageman, Hall, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Manuel, Marks, Mehrens, Menahan, Murphy, Nichols, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 51.

Noes: Aageson, Asbjornson, Barrett, Brown, Burnett, Campbell, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Hager, Haines, Halvorson, H. Harper, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mercer, Olson, Rolfe, Schye, Seifert, Shelden, Smith, Swanberg, Turner, Ulmer, Walborn, Warfield. Total 41.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Bardanouve, Bennetts, Castles, Lynch, Zimmer. Total 5.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Burnett, Castles, Edland, Lynch. Total 4.

Senate Amendments to House Bill No. 56 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Rolfe. Total 2.

Excused: Fleming, Marbut, Selstad. Total 3.

Absent or not voting: Bardanouve, Castles, Jones, Lundgren, Lynch, Nichols. Total 6.

March 20, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 522.

QUILICI, Chairman

Fasbender moved that the House adjourn until 10:00 a.m., March 21, 1973.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk



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## SPECIAL SESSION NINTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana

March 21, 1973

House convened, pursuant to adjournment, at 10:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Ellerd, Selstad, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 8th Legislative Day, find the same to be correct.

QUILICI, Chairman

## REPORTS OF STANDING COMMITTEES

March 20, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills, Nos. 149, 140, 254, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:25 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 272.

QUILICI, Chairman

March 21, 1973

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 615, respectfully report as follows: That House Bill No. 615 be held over until the second half of the 43rd Legislative Session in January, 1974.

GUNDERSON, Chairman

Report adopted.

March 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to adopt the Free Conference Committee Report on Senate Bill No. 178 and the President was authorized to appoint a new Free Conference Committee of three to meet with a like committee from the House.

The President appointed the following members:

Senator Graham, Chairman  
Senator Goodheart  
Senator Darrow

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day was authorized to appoint a Conference Committee on House Bill No. 350 to meet with a like committee from the House to confer on Senate amendments of said bill.

The President appointed the following members:

Senator Bollinger, Chairman  
Senator Zody  
Senator Himsl

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 611, introduced by the Committee on Judiciary, was this day read three several times and concurred in, title and history agreed to, and the bill herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 20, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on this day the Senate sustained the veto on House Bill No. 226 and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the Senate adopted the following Joint Conference Committee Reports and the committees were dissolved:

Conf. Committee Report—Senate Bill 214, Part 2

Conf. Committee Report—House Bill 55

Conf. Committee Report—House Bill 220

Conf. Committee Report—House Bill 509

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee.

House Bill No. 622, introduced by Burnett, Kolstad: A bill for an act entitled: "An act to amend Section 26-1001, R.C.M. 1947, to provide that all fines and bonds collected under the provisions of Title 26, R.C.M. 1947, shall be deposited in the general fund of the county in which the offense is committed; and providing an effective date." Referred to Committee on Taxation.

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House Bill No. 623, introduced by Galt, Hager, Hageman, Walborn, Burnett, Lien, Schepens, Laas, Hubing, Kolstad, Marks, Prevost, Asbjornson: A bill for an act entitled: "An act to amend Section 26-104, R.C.M. 1947, eliminating the condemnation power of the Montana Fish and Game Department." Referred to the Committee on Judiciary.

House Bill No. 624, introduced by Shelden: A bill for an act entitled: "An act amending Section 11-3819, R.C.M. 1947; providing that members of city-county planning boards may be reimbursed for transportation expenses incurred in attending planning board meetings." Referred to Committee on Local Government.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business of Second Reading. Motion carried.

Yardley in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 522 do pass (74-3).

That Senate Bill No. 467 be amended on page 2, Section 1 of the Senate Third Reading bill, following subsection (2) by adding a new subsection to read, "(3) All buildings built or leased or purchased under this act must comply with all laws, safety codes, rules and regulations of the State of Montana." (73-0).

And be further amended in Section 1, page 2, line 1, following the word "Program", by inserting the following: "and subject to non-binding, public bids if more than one person or company is prepared to enter into such a contract" (90-1),

And as amended, be concurred in (81-11).

That Senate Bill No. 468 be concurred in (85-0).

That Senate Bill No. 469 be amended in Section 1, line 14, by deleting the word "[must]" and inserting in lieu thereof the word "may", (80-2),

And as amended, be concurred in (82-6).

That Senate Bill No. 470 be amended on page 2, following line 2 by inserting the following new sentence: "Provided, however, the mill levy shall not exceed twenty-four (24) mills in any county of the fourth, fifth, sixth and seventh classes or twenty-two (22) mills in any county of the first, second and third classes until the sales-ratio studies conducted by the department of revenue demonstrate that the average assessed value of single family dwellings equals or exceeds thirty-six (36) per cent of full cash value.", (77-11).

And as amended, be concurred in (88-4).

(Material in brackets denotes cancelled type.)

That the Committee rise and report and beg leave to sit again.

YARDLEY, Chairman

Yardley moved for adoption of the Committee of the Whole report.

As a substitute motion, Fasbender moved that Senate Bill No. 469 be

segregated from the Committee of the Whole report, and that the report as amended be adopted.

Motion carried.

Report adopted as amended.

### MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a new Free Conference Committee to meet with a like Committee from the Senate on House Amendments to Senate Bill No. 178.

Motion carried.

Fasbender moved that the Rules be suspended and that all bills on Third Reading this day be placed on Third Reading.

Motion carried.

### THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 588 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanoue, East, Glennen, Laas, Lundgren, Nichols. Total 6.

House Bill No. 595 was passed by the following vote:

Ayes: Baeth, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Flynn, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lund, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 63.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Burnett, Castles, Clemow, East, Forsgren, Galt, Haines, Holtz, Hubing, Jones, Kessner, Kvaalen, Lockrem, Lucas, Lundgren, McKittrick, Marks, Mercer, Olson, Rolfe, Smith, Turner, Ulmer, Walborn, Warfield. Total 29.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanoue, Glennen, Laas, Nichols. Total 4.



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House Bill No. 522 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fاسبender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bell, Burnett, East, Hubing, Rolfe, Smith, Turner, Warfield. Total 8.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanouve, Galt, Nichols. Total 3.

### THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 467 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bell, Burnett, Forsgren, Galt, Jones, Lockrem, Lundgren, Rolfe, Schye. Total 9.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanouve, Nichols. Total 2.

Senate Bill No. 468 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Burnett, Lien, Schye, Seifert. Total 4.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanouve, Bennetts, Colberg, Nichols. Total 4.

Senate Bill No. 470 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Glennen, Seifert, Smith, Walborn. Total 4.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanouve, Bennetts, Colberg, Driscoll, Lundgren, Nichols. Total 6.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 217, 131, 368, 334.

QUILICI, Chairman

I have examined House Bill No. 368 introduced by me and find the same to be correct.

SCHYE

I have examined House Bill No. 334 introduced by me and find the same to be correct.

LIEN

I have examined House Bill No. 272 introduced by me and find the same to be correct.

BAUCUS

I have examined House Bill No. 217 introduced by me and find the same to be correct.

LUND

I have examined House Bill No. 131 introduced by me and find the same to be correct.

LYNCH

The Speaker signed the following bills in open session: House Bills Nos. 368, 334, 272, 217, 131 and Senate Bills Nos. 51, 129, 201, 343, 363, 376, 396, 431, 447 and 454.

## REPORTS OF SELECT COMMITTEES

March 20, 1973

### HOUSE BILL NO. 211

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 211, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and

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Claims amendment of February 28, 1973 to House Bill No. 211. This Joint Conference Committee recommends as follows:

That the House accede to all of the Senate Committee on Finance and Claims Amendments of February 28, 1973.

That House Bill No. 211 be concurred in.

FOR THE HOUSE:  
GREELY  
EDLAND

FOR THE SENATE:  
BERTSCHE  
BOLLINGER  
HIMSL

Greely moved for adoption of the Conference Committee report and that the committee be dissolved.

Report was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Ktndall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Barrett, Cox, Forsgren, Greely, Hall, R. Harper, Huennekens, McKittrick, Mehrens, Roberts, Smith, Turman, Watt. Total 14.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Edland, Galt, Haines, Kvaalen, Laas, Marbut, Nichols, Norman, Schye. Total 11.

March 21, 1973

SENATE BILL NO. 254

JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Conference Committee of the Senate and House on Senate Bill No 254, beg leave to report as follows:

That we met this day and considered the House Committee on Fish and Game Amendments to Senate Bill No. 254, dated March 14, 1973 and recommend as follows:

That the Senate accede to the House Committee on Fish and Game Amendments to Senate Bill No. 254 with the exception of the new Section 3, subsection (2), page 2 of the green House amendments and the Joint Conference Committee recommends that subsection (2) be amended as follows: by striking the words and figures "[twenty-five dollars (\$25)]" and inserting in lieu thereof the following new words and figures "five dollars (\$5)";

(Material in brackets denotes cancelled type.)

And that Senate Bill No. 254, as so amended, be passed.

FOR THE SENATE:  
McOMBER  
KEENAN  
CARL

FOR THE HOUSE:  
STAIGMILLER  
JACOBSEN  
GALT

Staigmiller moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 77.

Noes: Greely, McKittrick. Total 2.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Bardanouve, Colberg, Cox, Driscoll, Edland, Galt, Huennekens, Kimble, Kvaalen, Lockrem, Nichols, Roberts, Schepens, Schye, Seifert, Smith, Yardley. Total 17.

#### MESSAGES FROM THE SENATE

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the Senate adopted, on roll call, the following Joint Conference Committees Reports and the committees were dissolved:

Conference Committee report on House Bill 57

Conference Committee report on House Bill 211

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

#### UNFINISHED BUSINESS

The Speaker appointed the following Conference Committees:

New Free Conference Committee on Senate Bill No. 178: Healy, Chairman; Hodges, Mercer.

Conference Committee on Senate Amendments to House Bill No. 350: Norman, Chairman; Bennetts, Marbut.

Fasbender moved that the House stand in recess until 2:30 p.m. this day. Motion carried.

House recessed.

#### AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

#### REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Resolution No. 41, respectfully report as follows: That House Resolution No. 41 be adopted.

LAAS, Chairman

Report adopted.



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March 21, 1973

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 42, respectfully report as follows: That House Resolution No. 42 be adopted.

EDLAND, Chairman

Report adopted.

## REPORTS OF SELECT COMMITTEES

March 20, 1973

## HOUSE BILL NO. 57

## FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 57, beg leave to report as follows:

That we met this day and considered Senate Committee on Finance and Claims amendments to House Bill No. 57, dated March 15, 1973, and recommend as follows:

That the House accede to the amendment to Section 12, page 7, line 9 of the bill, and

That the House accede to the amendment to Section 12, page 7, following line 22 of the bill, and

That the Senate recede from the amendment to Section 12, page 8, line 21 of the bill, and

That the House accede to the amendment to Section 12, page 9, line 2 of the bill, and

That the House accede to the amendment to Section 12, page 11, line 4 of the bill, and

That the Senate recede from the amendment to Section 12, page 12, line 9 of the bill, and

That the Free Joint Conference Committee recommends that Section 12, page 12, line 9 of the third reading bill be amended by striking the figures "[25,000 30,000]" and inserting in lieu thereof the figures "25,000 25,000", and

That the House accede to the amendment to Section 12, page 14, line 7 of the bill, and

That the Free Joint Conference Committee recommends that Section 12, page 14, line 7 of the third reading bill be amended by adding after the figures "26,000 27,500" the following: "Any federal or private funds may be appropriated", and

That the Senate recede from the amendment to Section 12, page 20, line 11 of the bill, and

That the Free Joint Conference Committee recommends that Section 12, page 20, line 11 of the third reading bill be amended by striking the figures therein and inserting in lieu thereof the figures "9,290,804 9,285,520", and

That the House accede to the amendment to Section 12, page 20, line 25 of the bill, and

That the House accede to the amendment to Section 12, page 21, lines 1 and 2 of the bill, and

That the Free Joint Conference Committee recommends that Section 12, page 21, lines 20 through 22 be amended by reinstating the stricken material, and

That the House accede to the amendment to Section 12, page 23, following line 6 of the bill, and

That the House accede to the amendment to Section 12, page 23, line 14 of the bill, and

That the House accede to the amendment to Section 12, page 23, line 15 of the bill, and

That the Free Joint Conference Committee also considered Senate Committee of the Whole Amendment to House Bill No. 57, dated March 16, 1973, to Section 12, page 10, line 17 of the bill and recommends that the House accede to said amendment, and

That House Bill No. 57 be concurred in.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:  
BOLLINGER  
SORENSEN  
DESCHAMPS

FOR THE HOUSE:  
LAAS  
EAST  
BARDANOUVE

Laas moved for adoption of the Conference Committee report and that the Committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Bennetts, Bradley, Brown, Cotton, Driscoll, Edland, Fasbender, Galt, Greely, Hageman, Hager, Hall, Healy, Holmes, Johnston, Kendall, Kessner, Kolstad, Laas, Lien, Lombardi, Lucas, Lundgren, McKittrick, Mercer, Murphy, Norman, Olson, Quilici, Roberts, Shelden, Staigmillier, Stephens, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 44.

Noes: Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Fagg, Flynn, Forsgren, Gunderson, Halvorson, H. Harper, R. Harper, Hodges, Huennekens, Lee, Lockrem, Marks, Mehrens, Menahan, Rolfe, Seifert, Smith, Turman, Turner, Walborn, Watt. Total 28.

Excused: Brand, Ellerd, Fleming, Selstad. Total 4.

Absent or not voting: Asbjornson, Bardanouve, Baucus, East, Glennen, Haines, Holtz, Hubing, Jacobsen, Jones, Kimble, Kosena, Kvaalen, Lund, Lynch, Manuel, Marbut, Nichols, Prevost, Regan, Schepens, Schye, Stoltz, Zimmer. Total 24.

## MOTIONS AND RESOLUTIONS

Greely moved that Senate Bill No. 413 be taken from the Committee on Business and Industry and be placed on Second Reading.

A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bell, Brown, Colberg, Cotton, Edland, Fagg, Fasbender, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kendall, Kimble, Kolstad, Lee, Lien, Lucas, Lund, Manuel, Marbut, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Zimmer. Total 54.

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Noes: Asbjornson, Barrett, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Ellerd, Flynn, Forsgren, Galt, Halvorson, Hubing, Jacobsen, Jones, Kessner, Kosena, Kvaalen, Laas, Lockrem, Lombardi, Lundgren, McKittrick, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Olson, Schye, Smith, Ulmer, Walborn, Watt, Mr. Speaker. Total 41.

Excused: Fleming, Selstad. Total 2.

Absent or not voting: Bardanouve, Hall, Lynch. Total 3.

Paired: Ellerd, no; Fasbender, aye.

Gunderson moved that the House reconsider its action on House Bill No. 457. Motion carried.

Gunderson moved that House Bill No. 457 be referred to Committee on Finance and Claims. Motion carried.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 39, respectfully report as follows: That House Resolution No. 39 be not adopted.

MEHRENS, Chairman

Mehrens moved for adoption of the Committee report.

As a substitute motion, Halvorson moved that the Committee report be not adopted, and the House Resolution No. 39 be printed and placed on Second Reading.

Campbell moved the previous question. Motion carried.

The substitute motion carried.

## REPORTS OF SELECT COMMITTEES

March 21, 1973

## HOUSE COMMITTEE ON FISH AND GAME

## AMENDMENTS TO SENATE BILL NO. 178

## JOINT CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on House Committee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973, beg leave to report as follows:

That we met this day and considered House Committee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973, and recommend as follows:

That the Senate accedes to the first amendment of the House Committee on Fish and Game Amendments to Senate Bill 178, dated March 7, 1973.

That the House recedes to the second amendment of the House Committee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973.

That the Senate accedes to the third amendment of the House Commit-

tee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973.

That the Senate accedes to the fourth amendment of the House Committee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973.

That the Senate accedes to the fifth amendment of the House Committee on Fish and Game Amendments to Senate Bill No. 178, dated March 7, 1973, and that Senate Bill 178,

Be further amended in Section 3, line 21, page 5, of the blue copy by striking the words and figures "[two dollars (\$2.00)]" and reinserting the word and figure "one dollar (\$1.00)", and that Senate Bill 178 be concurred in.

FOR THE SENATE:  
GRAHAM  
DARROW

FOR THE HOUSE:  
HEALY  
HODGES  
MERCER

Healy moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Zimmer, Mr. Speaker. Total 75.

Noes: None.

Excused: Ellerd, Fleming, Selstad. Total 3.

Absent or not voting: Aageson, Bardanouve, Baucus, Cotton, East, Edland, Fagg, Gunderson, Halvorsen, Kimble, Lucas, Lund, Lundgren, Lynch, McKittrick, Prevost, Quilici, Regan, Towe, Ulmer, Walborn, Yardley. Total 22.

March 21, 1973

## HOUSE BILL NO. 350

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Conference Committee of the Senate and House on House Bill No. 350, beg leave to report as follows:

That we met this day and considered the Senate Committee on Public Health, Welfare and Safety Amendments to House Bill No. 350, dated March 3, 1973 and recommend as follows:

That the House accede to the Senate Committee on Public Health, Welfare and Safety Amendments in Section 1 and 2 of House Bill 350.

That the Senate recede from the Senate Committee on Public Health, Welfare and Safety Amendments in Sections 6 through 14 of House Bill 350.

And that House Bill 350, as so amended, be passed.

FOR THE SENATE:  
BOLLINGER  
HIMSL  
ZODY

FOR THE HOUSE:  
NORMAN  
MARBUT  
BENNETTS



Norman moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, East, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Excused: Ellerd, Fleming, Selstad. Total 3.

Absent or not voting: Bardanouve, Cotton, Edland, Fasbender, Hageman, Huennekens, Lockrem, Lucas, Lund, Lundgren, Lynch, Prevost, Quilici, Staigmiller, Turner. Total 15.

## MOTIONS AND RESOLUTIONS

Colberg moved that Senate Bill No. 469 be taken from Second Reading and be returned to the Committee on Local Government.

Motion failed.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Yardley in the Chair. Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 469 be amended on page 1, line 17, by deleting "[of not less than one (1) square mile in area]",

And further amend page 1, lines 19 and 20 by deleting the words "[one hundred (100)]" and inserting in lieu thereof the words and figures "two thirds ( $\frac{2}{3}$ ) of the"

And further amend page 1, line 20 by inserting after the word "electors" the words "but not more than 300 such electors who are" (62-11)

And as amended, be concurred in (71-14).

That Senate Bill No. 413 be amended in Section 2, subsection 1, sub (b) on page 1 the following: after the word "consideration", insert the following material: "and prizes awarded based on the outcome of athletic pools." (74-8).

And as amended, be concurred in (55-33).

That House Resolution No. 39 be amended by deleting the following:

In the title, page 1, line 6, the words "[desks and]" lines 7 and 8, page 1, the words after the word "chairs" (66-24).

And further amend in first WHEREAS, line 10, the words "[desks and]"

Second WHEREAS, line 15, the word "[more]"

Fifth WHEREAS, lines 21, 22, in their entirety.

And further amend on page 2, line 2, the word "[desk]" and on line 3 the word "[and]",

And further amend on line 6, page 2, the words "[and desks]" and in line 7, the words after the word "comfortable" (65-21)

And further amend on page 2, line 4, after "auctions" by inserting "only after each Representative or County does not wish to utilize first option of purchase" (84-2)

And as amended, be not adopted (54-32).

That the Committee rise and report.

YARDLEY, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 575, 97, 357, 15, 611.

QUILICI, Chairman

March 21, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 131, 217, 272, 334, 368, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:35 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 97 introduced by me and find the same to be correct.

FASBENDER

I have examined House Bill No. 357 introduced by me and find the same to be correct.

LEE

I have examined House Bill No. 611 introduced by me and find the same to be correct.

HALL

I have examined House Bill No. 15 introduced by me and find the same to be correct.

SHELDEN

The Speaker signed the following bills in open session: House Bills Nos. 97, 357, 611, 15.

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## MESSAGES FROM THE SENATE

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended by the Committee of the Whole that further action be indefinitely postponed on House Bill No. 166 and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 465, introduced by Baucus, Norman, et al, was this day read three several times and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendment.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the Senate did adopt, on roll call vote, the Joint Conference Committee Reports on the following bills and the committees have been dissolved.

Conference Committee Report on House Bill No. 15

Conference Committee Report on Senate Bill No. 254

Respectfully,

JOHN N. HANSON

Secretary of the Senate

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that this day the Senate did not concur in House amendments to Senate Bill No. 470 and the President was authorized to appoint a Conference Committee of three to meet with a like committee from the House to confer on said amendments.

The President appointed the following:

Senator Moore, Chairman

Senator Vainio

Senator McOmber

Respectfully,

JOHN N. HANSON

Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 470.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

House Bill No. 625, introduced by Lee: A bill for an act entitled: "An act relating to motion picture theater employees and obscene motion pictures." Referred to Committee on Judiciary.

House Joint Resolution No. 39, introduced by Bennetts, Fasbender, Healy, Haines, Lynch, Lombardi, Lee, Quilici, Shelden, Baeth, Brown, Lundgren, H. Harper: A joint resolution of the Senate and the House of Representatives of the State of Montana requesting passage of a congressional bill relating to vocational training for potential parolees from state penal institutions. Referred to Committee on Education.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Bill No. 470: Swanberg, Chairman; Watt, Ulmer.

Fasbender moved that the House adjourn until 9:00 a.m., March 22, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

## SPECIAL SESSION TENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
March 22, 1973

House convened, pursuant to adjournment, at 9:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Ellerd, Fleming, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 9th Legislative Day, find the same to be correct.

QUILICI, Chairman

March 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Resolutions Nos. 41 and 42.

QUILICI, Chairman



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March 22, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 56, 509, 55, 211, 220 and House Resolutions Nos. 31 and 36.

QUILICI, Chairman

I have examined House Bill No. 575 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed in open session the following bills: House Bill No. 575 and Senate Bills Nos. 23, 28, 124, 183, 300, 383.

## MESSAGES FROM THE GOVERNOR

March 21, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 16, 23, 50, 78, 108, 112, 118, 128, 135, 146, 256, 260, 283, 304, 338, 394, 396, 406, 441, 442, 456, 480, 534, and 573.

House Joint Resolution No. 18.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

## MESSAGES FROM THE SENATE

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 588 was this day recommended by Committee Report that the bill be not concurred in, report adopted on roll call, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee Reports were this day adopted on roll call and the committees have been dissolved.

Free Conference Committee Report on House Bill No. 78

Conference Committee Report on House Bill No. 350

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Ulmer moved that Senate Bill No. 413 be retained on Third Reading until such time as there is a printed copy on the desks.

Motion carried.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 197, respectfully report as follows: That Senate Bill No. 197 be amended in the Senate Third Reading Bill as follows:

Amend on page 3, Section 5, line 6 by striking the figures "[27,927,000 29,543,000]" and inserting in lieu thereof the figures "30,059,000 32,866,000";

Further amend on page 3, Section 5, line 10 by striking the figures "[19,390,000 21,110,000]" and inserting in lieu thereof the words "(all funds available)";

And as amended, be concurred in.

(Material in brackets denotes cancelled type.)

BARDANOUE, Chairman

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hall to the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker:

We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 465 be concurred in (84-0).

That the Committee rise and report and beg leave to sit again.

HALL, Chairman

Report adopted.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 352, respectfully report as follows: That Senate Bill No. 352 be amended on page 1, line 4 following the number "12-329" by inserting the punctuation and number ", 12-332.1".

Amend on page 1, line 9 by striking the words "[confirm powers of the Montana Supreme Court]" and inserting in lieu thereof the words "authorize the Legislative Council";

Amend the title page 1, line 11 following the word and punctuation "duties;" by striking the words "[to make an appropriation]" and inserting the following words and punctuation "to amend Section 12-332.1 to vest in

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the Legislative Council the responsibility for publishing the supplements to the Revised Codes of Montana of 1947; to provide for an effective date;"

Amend on page 1, line 19 by striking the words "[Supreme Court]" and inserting in lieu thereof the words "Legislative Council";

Amend on page 2, line 16 by striking the words "[Supreme Court and by the]";

Amend on page 2, line 20 by striking the words "[Supreme Court]" and inserting in lieu thereof the words "Legislative Council";

Amend page 2, line 21 by striking the word "[Court]" and inserting in lieu thereof the words "Legislative Council";

Amend on page 2, line 24 by striking the words "[Court and the]";

Amend on page 3, line 8 by striking the words "[Supreme Court]" and inserting in lieu thereof the words "Legislative Council";

Amend on page 3, lines 13 and 14 by striking the words "[appointed by the Supreme Court]";

Amend on page 3, line 16 by striking the word "[Court]" and inserting in lieu thereof the words "Legislative Council";

Amend on page 3, line 17 by striking the words "[Supreme Court]" and inserting in lieu thereof the words "Legislative Council";

Amend on page 3, lines 19 through 22 by striking all of Section 6, and inserting in lieu thereof the following words:

"Section 6. Section 12-332.1 is amended to read as follows:

12-332.1. [Supreme Court] Legislative Council to control supplements and replacement volumes. The [Supreme Court of the State of Montana] Legislative Council is hereby authorized and directed to supervise and control the publication of all supplements to the Revised Codes of Montana 1947, as to form, and to determine from time to time whether or not any volume should be replaced and when such replacement shall be had."

Amend on page 3 after line 24 by adding a new Section 8 which reads as follows:

"Section 8. This act is effective on January 1, 1974."

(Material in brackets denotes cancelled type.)

And as amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 413 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, East, Edland, Fagg, Fasbender, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mercer, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye,

Seifert, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Bennetts, Burnett, Campbell, Cox, Driscoll, Flynn, Holtz, Kessner, Kosena, Kvaalen, Marks, Mehrens, Menahan, Nichols, Olson, Selstad, Smith, Ulmer, Walborn, Zimmer. Total 20.

Excused: Ellerd, Fleming. Total 2.

Absent or not voting: Forsgren, Halvorson, R. Harper, Jones, Murphy, Shelden, Stoltz. Total 7.

Towe moved that Senate Bill No. 469 be amended on page 2, line 14 by deleting the word "[must]" and inserting in lieu thereof the word "may".

Motion carried (90-0).

Fasbender moved that Senate Bills Nos. 469 and 7 be passed for this sitting.

Motion carried.

## REPORTS OF STANDING COMMITTEES

March 21, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be amended as follows:

Amend the Senate Third Reading Bill on page 3, Section 5 by striking lines 12 through 20 in their entirety, and inserting in lieu thereof the following new Section 6, and renumbering subsequent sections to conform numerically:

"Section 6. Notwithstanding any other provisions of law, the following money is appropriated from the funds received from the United States treasury under the provisions of the federal 'State and Local Assistance Act of 1972' to the director, department of administration, for the biennium ending June 30, 1975, for the indicated capital projects authorized by the Forty-Second Legislative Assembly which were deferred due to lack of federal and state funding:

	Federal Revenue Sharing Acct., Federal & Private Rev. Fund
<b>EXECUTIVE BRANCH</b>	
<b>SUPT. OF PUBLIC INSTRUCTION</b>	
Construct Vo-Tech center, Great Falls	1,000,000
<b>DEPARTMENT OF ADMINISTRATION</b>	
Land acquisition for Capitol complex, subject to the approval of the Capitol building and planning committee	150,000
Renovate old board of health building	30,000
Renovate governor's mansion	20,000
<b>DEPARTMENT OF EDUCATION</b>	
<b>EASTERN MONTANA COLLEGE</b>	
Renovate, develop, pre-plan and acquire land	100,000



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MONTANA STATE UNIVERSITY	
Remodel and renovate buildings	120,000

UNIVERSITY OF MONTANA	
Complete and renovate clinical service and art annex	150,000
Renovate and update miscellaneous projects	75,000

WESTERN MONTANA COLLEGE	
Develop, renovate and improve miscellaneous projects	40,000

DEPARTMENT OF INSTITUTIONS

STATE PRISON	
Construct new prison	3,800,000

WARM SPRINGS STATE HOSPITAL	
Renovate Mussigbrod building	350,000

DEPARTMENT OF LAW ENFORCEMENT AND  
PUBLIC SAFETY

HIGHWAY PATROL BUREAU	
Construct division headquarters at Glendive	105,375";

Further amend page 6 by striking lines 4 through 9, being lines 15 and 16 of the original bill, and inserting in lieu thereof the following material:

"Renovation and equipment for science building, miscellaneous projects, renovation and land acquisition	410,000";
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Further amend page 6, line 16, being page 5, line 23 of the original bill, by striking the figure "[107,000]" and inserting in lieu thereof the figure "100,000";

Further amend page 6, by striking line 17, being page 5, line 24 of the original bill;

Further amend page 6, line 20, being page 6, line 3 of the original bill, by striking the figure "[118,835]" and inserting in lieu thereof the figure "111,835";

Further amend page 7, line 2, being page 6, line 9 of the original bill, by striking the figure "[66,500]" and inserting in lieu thereof the figure "50,000";

Further amend page 7, line 5, being page 6, line 12 of the original bill, by striking the figure "[500,000]" and inserting in lieu thereof the figure "350,000";

Further amend page 7, line 6, being page 6, line 13 of the original bill, by striking the figure "[1,000,000]" and inserting in lieu thereof the figure "1,500,000";

Further amend page 7 by striking lines 14 through 16 in their entirety.

Further amend page 8, line 20, being page 7, line 16 of the original bill, by striking the figure "[80,000]" and inserting in lieu thereof the figure "40,000";

Further amend page 9, line 8, being line 2 of the original bill, by striking the figure "[85,000]" and inserting in lieu thereof the figure "80,000";

Further amend page 10, by striking lines 6 through 15 in their entirety, being line 25 on page 8, and lines 1 through 9 on page 9 of the original bill;

Further amend page 10, following Section 8, line 15, and following line 9 on page 9 of the original bill, by inserting the following new Section 10, and renumbering subsequent sections to conform numerically:

"Section 10. The following money is appropriated from indicated accounts and funds to the director, Department of Administration, for the biennium ending June 30, 1975, for the indicated capital project:

Long Range Bldg.	Warm Springs
Program Acct.,	Hospital Acct.
Bond Proceeds &	Bond Proceeds &
Insurance	Insurance
Clearance Fund	Clearance Fund

#### DEPARTMENT OF INSTITUTIONS WARM SPRINGS STATE HOSPITAL

Construct new patient dormitory building	643,000	100,000";
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Further amend page 13 by inserting following line 1, and following line 20 on page 11 of the original bill, the following new material and the following figure in the first column:

"Construct new office building at Helena	560,000";
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Further amend on page 13 by striking lines 23 through 25 in their entirety.

Further amend on page 20 by inserting following line 15 the words "Dept. of Education";

Further amend on page 20 following line 20 by inserting a new Section 12 as follows:

"Section 12. The Department of Administration, as state purchasing agent, shall have the authority, as part of the long range building program, to enter into a rental contract which provides an option to purchase a new office building for the Department of Social and Rehabilitation Services at Helena. The contract shall be in accordance with the provisions under Section 82-1918, as amended, and the total project shall not exceed the scope of the original \$1,500,000 building proposed in the long range building program budget request.";

Further amend on page 21, line 9, by striking the word "[must]" and inserting in lieu thereof the word "shall";

Further amend on page 21, line 14, by striking the figure "[5,500,000]" and inserting in lieu thereof the figure "602,775";

Amend on page 21 following line 17 by adding a new Section 15 as follows:

"Section 15. There is created a blue ribbon commission on state institutions. It shall consist of seven members to be appointed by the governor. The commission shall examine the short and long range needs of the state for all institutions, including youth care, health and penal facilities. Initial priority shall be given to the state penitentiary. The commission shall examine the social trends away from the institutional care with a view toward determining the value of community oriented custodial care in Montana. The commission shall submit a comprehensive plan for development of the future institutional needs of the state based on the projected demands for institutional services within the state of the first regular session of the 44th Legislative Assembly. The commission is dissolved upon submission of that plan.

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There is appropriated from the long range building program account in the bond proceeds and insurance clearance fund the sum of one hundred thousand dollars (\$100,000) for the use of the commission in carrying out its prescribed duties.”;

And as amended, be concurred in.

BARDANOUE, Chairman

(Material in brackets denotes cancelled type.)

Report adopted.

I have examined House Resolution No. 31 introduced by me and find the same to be correct.

BRAND

I have examined House Bill No. 509 introduced by me and find the same to be correct.

FASBENDER

The Speaker signed in open session the following bills: House Resolution No. 31 and House Bill No. 509.

Fasbender moved that the House stand in recess, subject to the call of the Chair.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

March 22, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 15, 97, 357, 509, 575, 611, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:20 a.m., delivered to the Governor for his approval.

QUILICI, Chairman

I have examined House Bill No. 220 introduced by me and find the same to be correct.

COTTON

I have examined House Resolution No. 36 introduced by me and find the same to be correct.

HOLMES

I have examined House Bill No. 211 introduced by me and find the same to be correct.

TOWE

The Speaker signed the following bills in open session: House Bills Nos. 211 and 220 and House Resolution No. 36.

## REPORTS OF SELECT COMMITTEES

Swanberg requested that the Conference Committee on Senate Bill No. 470 be dissolved, since no agreement could be reached.

Request granted by the Speaker.

March 14, 1973

SENATE BILL NO. 127  
JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Senate and House Conference Committee on Senate Bill No. 127, beg leave to report as follows:

That we met this day and considered House Committee on Labor and Employment Relations amendment to Senate Bill 127, dated February 28, 1973, and recommend:

That the House Committee on Labor and Employment Relations Amendments to Senate Bill 127 be stricken and in lieu thereof the following be reinserted:

"The employee may request that such insurer pay a proportionate share of the reasonable cost, including attorney's fees, of such third party action. The insurer may elect not to participate in the cost of the third party action, but as such election is made the insurer shall be deemed to have waived fifty percent (50%) of its subrogation rights granted by the section."

That the Senate accedes to the rest of the amendment by the House Committee on Labor and Employment Relations, and as so amended, be concurred in.

FOR THE SENATE:

McKEON  
BENNETT  
DeWOLF

FOR THE HOUSE:

MENAHAN  
H. HARPER  
KIMBLE

Menahan moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, McKittrick, Manuel, Marbut, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Ainsworth, Castles, Cox, East, Glennen, Hodges, Hubing, Lockrem, Mercer, Rolfe, Seifert, Selstad, Smith, Turner, Ulmer. Total 15.

Excused: Ellerd, Fleming, Shelden. Total 3.

Absent or not voting: Bardanoue, Edland, Fagg, Galt, Haines, Holmes, Kessner, Lucas, Lundgren, Lynch, Marks, Mehrens, Nichols, Norman, Swanberg, Walborn, Zimmer. Total 17.

## MESSAGES FROM THE GOVERNOR

March 22, 1973

Honorable Harold Gerke  
Speaker of the House of  
Representatives  
Capitol  
Helena, Montana



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Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 509.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

## MESSAGES FROM THE SENATE

March 21, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 339 introduced by McNamer and Lynch, and which was recalled from the Governor's office, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Bill No. 470 and the President was authorized to appoint a New Conference Committee.

The President appointed the following members:

Senator McOmber, Chairman

Senator McDonald

Senator Lowe

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that House Resolutions Nos. 41 and 42 be placed on Second Reading.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a new Conference Committee to meet with a like committee from the Senate on Senate Bill No. 470.

Motion carried.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 626, introduced by Murphy: A bill for an act entitled "An act to amend Section 8-101, R.C.M. 1947, to provide regulation by

the Public Service Commission of carriers other than carriers "for hire." Referred to Committee on Highways and Transportation.

Senate Bill No. 339, introduced by McNamer, Lynch, Moore, Vainio, Harrison, Flynn, Bollinger, Gilfeather, Rosell, Hall: A bill for an act entitled: "An act to amend Sections 59-801, 59-802, 59-538 and 59-539, R.C.M. 1947, to increase mileage and per diem allowances for public employees and officers." Referred to Committee on State Administration.

House Resolution No. 43, introduced by Baucus, Forsgren, Holmes, Lynch, Marbut, Haines, Bennetts, Turman, Ainsworth, Bradley, Murphy, H. Harper, Towe, Watt, Halvorson, Fasbender, Kimble: A resolution of the House of Representatives of the State of Montana thanking legislative interns for their work with the legislature and requesting the government and political science facilities of the units of the Montana University System to increase wherever possible their intern programs. Referred to Committee Legislative Administration.

### MOTIONS AND RESOLUTIONS

Baucus moved that House Resolution No. 43 be taken from the Committee on Legislative Administration and be placed on Second Reading this day.

Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee on House Bill No. 463: Hall, Chairman; Roberts, H. Harper.

Fasbender moved that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

March 22, 1973

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 339, respectfully report as follows: That Senate Bill No. 339 be concurred in.

BRAND, Chairman

Report adopted.

### MOTIONS AND RESOLUTIONS

Hall moved that Senate Bill No. 339 be placed on Second Reading this day.

Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Hall in the Chair.

Committee arose.

Mr. Speaker in the Chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 54 as amended by the House Committee on Finance and Claims, March 21, 1973, be amended by striking the committee amendment to Section 8, page 6, lines 4 and 9 of the Third Reading bill and inserting in lieu thereof the following words and figures "Renovation, site develop., pre-planning & misc. projects and land acquisition 380,000" "pre-planning science bldg. 30,000". (68-19)

And as amended, be concurred in (77-8).

That Senate Bill No. 197 be concurred in (86-0).

That Senate Bill No. 352 be passed for the day.

That House Resolution No. 41 be adopted (78-0).

That House Resolution No. 42 be adopted (78-0).

That House Resolution No. 43 be adopted (77-1).

That Senate Bill No. 339 be concurred in (77-8).

That the Committee rise and report.

HALL, Chairman

Report adopted.

## HOUSE RESOLUTION NO. 41

Introduced by Bardanouve: A resolution of the House of Representatives of the State of Montana requesting the highway department and the interim committee on motor pool operations, improvement, to utilize the findings of the legislative audit as soon as they become available.

WHEREAS, many departments of state government are dissatisfied with the motor pool operation and charges, and

WHEREAS, the motor pool has not been operating at a profit, and

WHEREAS, many organizations do very profitably and efficiently operate motor pools, and

WHEREAS, motor pools do fill a need in many states and organizations.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the highway department is urged to give their very best management to the motor pool and are directed to pay particular attention to the legislative audit report, as available, as well as cooperate with the interim committee charged with providing the legislature with recommendations on the motor pool.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Highway Department and the committee on the study of the motor pool.

—END—

## HOUSE RESOLUTION NO. 42

Introduced by Fasbender, Kvaalen: A resolution of the House of Representatives of the State of Montana directing that the chambers, offices, committee rooms, and work areas and their equipment and furnishings be reserved for use by the members of the legislature, its officers, committees, and staff during a legislative interim.

WHEREAS, Montana's constitution in article V, Section 6, requires the legislature to be a continuous body; and

WHEREAS, the legislative council and the committees of the legislature will meet and work throughout the legislative interim; and

WHEREAS, the work of the legislature and its committees needs continuity; and

WHEREAS, the powers, duties, and responsibilities of the legislature have increased, the staff and space needs of the legislature have correspondingly increased.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the chambers, offices, committee rooms, and work areas and their equipment and furnishings be reserved for use only by the members of the legislature, its officers, committees, and staff during a legislative interim.

BE IT FURTHER RESOLVED, that the chambers, offices, committee rooms, and work areas may be used by other branches of government only on limited occasions and then only with the approval of the legislative council.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to Mr. Doyle B. Saxby, Director of the Department of Administration, Helena, Montana.

—END—

#### HOUSE RESOLUTION NO. 43

Introduced by Baucus, Forsgren, Holmes, Lynch, Marbut, Fasbender, Haines, Bennetts, Turman, Ainsworth, Bradley, Murphy, H. Harper, Towe, Watt, Halvorson: A resolution of the House of Representatives of the State of Montana thanking legislative interns for their work with the legislature and requesting the government and political science faculties of the units of the Montana University System to increase wherever possible their intern programs.

WHEREAS, interns and other non-paid student legislative assistants have provided much help and aid to members of the legislature, and

WHEREAS, the experience with the legislature is beneficial toward these students' educational programs, and

WHEREAS, the various intern programs provide for a training ground for future legislative staff.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That interns and various legislative assistants of the Forty-third Legislative Assembly be thanked for their work and help, and

BE IT FURTHER RESOLVED, that the government and political science faculties of the units of the University System be requested to consider providing and increasing such programs, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the board of regents on the University System, to the presidents of each of the units of the University System and to the government or political science faculty of each of the units of the University System.

—END—



# HOUSE JOURNAL—SPECIAL SESSION FORTY-THIRD LEGISLATIVE ASSEMBLY

## REPORTS OF SELECT COMMITTEES

March 22, 1973

### SENATE BILL NO. 470 JOINT CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Joint Conference Committee of the Senate and House appointed to meet on Senate Bill No. 470, beg leave to report as follows:

That we met this day and considered House Committee of the Whole amendments of March 21, 1973 to Senate Bill No. 470 and recommend as follows:

That the Senate accede to the proposed amendment of the House Committee of the Whole with the exception that it be amended in line 1, after the word and punctuation "however," by inserting the following words and figures "that after July 1, 1974";

And that Senate Bill No. 470, as so amended, be concurred in.

FOR THE SENATE:

McOMBER  
LOWE  
McDONALD

FOR THE HOUSE:

SWANBERG  
TURMAN  
NORMAN

Swanberg moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 83.

Noes: Smith. Total 1.

Excused: Ellerd, Fleming, Lucas, Shelden. Total 4.

Absent or not voting: Baeth, Brown, Burnett, Colberg, Hageman, Lynch, Mehrens, Roberts, Schye, Selstad, Walborn, Yardley. Total 12.

## MESSAGES FROM THE SENATE

March 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did dissolve the Free Conference Committee on House Bill 463 and the President was authorized to appoint a new Free Conference Committee.

The President appointed the following members:

Senator McNamer, Chairman

Senator Bennett

Senator Boylan

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Kvaalen moved that the motion on appropriation bills on Third Reading be rescinded.

Motion failed.

Fasbender moved that the House adjourn until 10:00 a.m., March 23, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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### SPECIAL SESSION ELEVENTH LEGISLATIVE DAY

House of Representatives  
Helena, Montana  
March 23, 1973

House convened, pursuant to adjournment, at 10:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Baeth, Ellerd, Fleming, Lee, Lucas, Selstad, Yardley, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 10th Legislative Day, find the same to be correct.

QUILICI, Chairman

### MESSAGES FROM THE SENATE

March 22, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 123 was this day recommended by Committee Report that the bill be not concurred in, report adopted on roll call, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Kvaalen moved that the House rescind its action on all appropriation bills on Third Reading.

Motion failed.

March 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 57, and House Resolutions Nos. 16, 14, and 9.

QUILICI, Chairman

The Speaker signed the following Senate Bills in open session: Nos. 40, 72, 109, 208, 214, 254, 467, 468, 178.

## FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 627, introduced by Kvaalen, Schepens, Prevost, Olson: A bill for an act entitled: "An act appropriating money to the Department of Fish and Game for participation on, and contribution to, the South Sandstone Waterspreading and Recreation Project in Fallon County, Montana; and prohibiting expenditure of such money until all funds necessary for completion of project are available and committed." Referred to Committee on Finance and Claims.

House Bill No. 628, introduced by Bradley, Fasbender, Towe, Swanberg, Bennetts, Huennekens, Colberg, Watt, Brown, Tierney, Gerke, Ainsworth, Baucus, Nichols, Driscoll, Cox, Turman, Marbut, Staigmillier, Hall: A bill for an act entitled: "An act to acknowledge the existence of natural and potentially natural areas in the state and to provide for the protection of these areas." Referred to Committee on Natural Resources.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 352 be concurred in (83-0).

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

Fasbender moved that the House recess subject to the call of the Chair. Motion carried.

House recessed.

## AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

I have examined House Bill No. 56 introduced by me and find the same to be correct.

BARDANOUVE

I have examined House Bill No. 55 introduced by me and find the same to be correct.

## BARDANOUE

The Speaker signed in open session House Bills Nos. 56 and 55.

March 23, 1973

Mr. Speaker We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Resolutions Nos. 17, 24, 27, 30, 32, 35, 41, 42, 43.

QUILICI, Chairman

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and Senate Bill No. 339 be placed on Third Reading this day.

Motion carried.

## THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Driscoll, East, Edland, Fasbender, Galt, Glennen, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lockrem, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 59.

Noes: Burnett, Cox, Forsgren, Greely, Rolfe, Schye, Smith, Swanberg. Total 8.

Excused: Baeth, Ellerd, Fagg, Fleming, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 10.

Absent or not voting: Bardanouve, Clemow, Cotton, Flynn, Gunderson, Hageman, Healy, Hubing, Huennekens, Kvaalen, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mehrens, Menahan, Nichols, Quilici, Stephens, Stoltz, Tierney. Total 23.

Senate Amendments to House Bill No. 465 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lockrem, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 69.

Noes: None.

Excused: Baeth, Ellerd, Fagg, Fleming, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 10.

Absent or not voting: Bardanouve, Clemow, Flynn, Gunderson, Hageman, Healy, Huennekens, Kvaalen, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mehrens, Menahan, Nichols, Quilici, Stephens, Stoltz, Tierney. Total 21.



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MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and that Senate Bill No. 352 be placed on Third Reading this day.

Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 352 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Ben-  
netts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton,  
Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Gun-  
derson, Hageman, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kol-  
stad, Kosena, Laas, Lien, Lockrem, Lund, Manuel, Marbut, Marks, Mercer,  
Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye,  
Shelden, Smith, Staigmiller, Stephens, Swanberg, Towe, Turman, Turner,  
Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 73.

Noes: Hall. Total 1.

Excused: Baeth, Ellerd, Fagg, Fleming, Lee, Lucas, Seifert, Selstad,  
Walborn, Yardley. Total 10.

Absent or not voting: Bardanouve, Clemow, Flynn, Healy, Huennekens,  
Kvaalen, Lombardi, Lundgren, Lynch, McKittrick, Mehrens, Menahan,  
Nichols, Quilici, Stoltz, Tierney. Total 16.

Fasbender moved that the House stand in recess, subject to call of the  
Chair.

Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

I have examined House Bill No. 57 introduced by me and find the same  
to be correct.

BARDANOUE

The Speaker signed in open session House Bill No. 57.

REPORTS OF STANDING COMMITTEES

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had  
under consideration Senate Bill No. 457, respectfully report as follows: That  
Senate Bill No. 457 be concurred in.

BARDANOUE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 22, 1973

HOUSE BILL NO. 463  
FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Free Joint House and Senate Conference Committee on House Bill No. 463, beg leave to report as follows:

That we met this day, March 22, 1973, to consider said bill and report as follows:

1. That the title of House Bill No. 463 be stricken and a new title be inserted reading as follows: An act providing for abortion in the State of Montana and further providing the conditions under which an abortion may be performed; providing penalties; and providing an effective date.

2. That all the new material in said bill after the enacting clause be stricken and the bill amended in accordance with Exhibit A attached hereto.

FOR THE HOUSE:

HALL  
ROBERTS  
H. HARPER

FOR THE SENATE:

BENNETT  
BOYLAN

Hall moved for adoption of the Conference Committee report and that the Committee be dissolved.

The Conference Committee report failed to be adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Driscoll, Glennen, Greely, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Kendall, Kimble, Lien, Lund, Marbut, Marks, Mercer, Regan, Roberts, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Mr. Speaker. Total 40.

Noes: Aageson, Bell, Brand, Burnett, Campbell, Clemow, Cox, East, Edland, Forsgren, Galt, Gunderson, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Ulmer, Warfield, Zimmer. Total 46.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Selstad, Walborn, Yardley. Total 8.

Absent or not voting: Fasbender, Flynn, Haines, Kessner, Lundgren, Seifert. Total 6.

Paired: Lucas, no; Holmes, aye; Lee, no; Towe, aye.

### MOTIONS AND RESOLUTIONS

Hall moved that the Free Conference Committee on House Bill No. 463 be dissolved.

Motion carried.

Hall moved that the House suspend Rules and that Senate Bill No. 457 be placed on Second Reading and if concurred in on Second Reading, be placed on Third Reading this day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 629, introduced by Stephens, Gunderson, Lien, Manuel, Edland: A bill for an act entitled: "An act requiring public utilities to maintain their facilities on certain farm lands." Referred to Committee on Business and Industry.

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House Bill No. 630, introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to repeal the exemption from adjusted gross income for benefits received under the Federal Employees Retirement Act." Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 457 be concurred in (83-1).

That the Committee rise and report and beg leave to sit again.

LOCKREM, Chairman

Report adopted.

## THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 469 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 84.

Noes: Greely, Hager. Total 2.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Flynn, Lundgren. Total 2.

Marks moved that Senate Bill No. 54 be amended on page 2 of the House Committee on Finance and Claims Amendments dated March 21, 1973, by striking the following words and figures "[Department of Institutions State Prison Construct new prison 3,000,000]".

Motion failed (35-56).

(Material in brackets denotes cancelled type.)

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges,

Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Zimmer, Mr. Speaker. Total 80.

Noes: Burnett, Castles, Jones, Rolfe, Smith, Ulmer. Total 6.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Flynn, Lundgren. Total 2.

Senate Bill No. 197 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer. Mr. Speaker. Total 84.

Noes: None.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Colberg, Driscoll, Flynn, Lundgren. Total 4.

Senate Bill No. 457 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 83.

Noes: Burnett, Smith. Total 2.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Flynn, Lundgren, Roberts. Total 3.

Bardanouve moved that Senate Bill No. 7 be amended as follows:

That paragraph 5, page 1 of the House Committee on Finance and Claims amendments to Senate Bill 7, dated March 15, 1973, be amended to strike the figures "[66,293]" and "[67,648]" and insert in lieu thereof the figures "77,293" and "78,448".

That paragraph 7, page 1 of the House Committee on Finance and Claims amendments to Senate Bill 7, dated March 15, 1973, be amended to strike the figures "[34,580]" and "[35,580]" and insert in lieu thereof the figures "42,720" and "44,120".



That paragraph 4, page 2 of the House Committee on Finance and Claims amendments to Senate Bill 7, dated March 15, 1973, be amended by striking the figures "[972,696]" and "[849,385]" and insert in lieu thereof the figures "1,109,281" and "926,077".

Amend paragraph 5, page 2 of the House Committee on Finance and Claims amendments to Senate Bill 7, dated March 15, 1973, by striking the figures "[297,826]" and "[284,667]" and inserting in lieu thereof the figures "300,426" and "287,789".

Amend Senate Bill 7, Section 13, page 10, line 23 by striking the figure "[293,352]" and inserting in lieu thereof the figure "299,596".

Amend Senate Bill 7, Section 13, page 11, line 5 by striking the figure "[1,868,898]" and inserting in lieu thereof the figure "1,959,532".

Amend Senate Bill 7, Section 13, page 13 by inserting after line 2 the following:

"[Department of Revenue

From the General Fund		
provisions of S. B. 413	50,000	50,000]"

Further move to amend the House Finance Claims Committee amendments as follows:

That the last amendment listed on page 2 of the House Committee on Finance Claims Amendments to Senate Bill 7, dated March 15, 1973, be stricken in its entirety.

That the figures "[257,185]" "[258,194]" in the third line of paragraph 7, page 3 of the House Committee on Finance and Claims Amendments to Senate Bill 7, be stricken and that the figures "293,130 293,186" be inserted in lieu thereof.

(Material in brackets denotes cancelled type.)

Motion carried (57-26).

Senate Bill No. 7 was concurred in as amended by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 68.

Noes: Bardanouve, Bennetts, Bradley, Brand, Burnett, Hall, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jones, Lombardi, Regan, Rolfe, Smith, Stoltz, Turman. Total 18.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Flynn, Lundgren. Total 2.

## REPORTS OF STANDING COMMITTEES

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 452, respectfully report as follows: That Senate Bill No. 452 be not concurred in.

BARDANOUE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 84.

Noes: None.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Flynn, Galt, Lundgren, Zimmer. Total 4.

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 203, respectfully report as follows:

That House Bill No. 203 do not pass.

BARDANOUE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Brand, Campbell, Castles, Clemow, Cox, East, Edland, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turner, Warfield, Zimmer, Mr. Speaker. Total 67.

Noes: Bennetts, Bradley, Burnett, Cotton, Driscoll, Hall, H. Harper, R. Harper, Holmes, Huennekens, Marbut, Tierney, Towe, Turman, Ulmer, Watt. Total 16.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Brown, Colberg, Flynn, Galt, Lundgren. Total 5.

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do not pass.

BARDANOUE, Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Driscoll, East, Edland, Fasbender, Glennen, Greely, Hager, Hall, Halvorson, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmiller,

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Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Watt, Zimmer, Mr. Speaker. Total 66.

Noes: Barrett, Brown, Colberg, Cotton, Cox, Forsgren, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Kendall, Lockrem, Schye, Shelden, Tierney, Ulmer, Warfield. Total 18.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Clemow, Flynn, Galt, Lundgren. Total 4.

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 413, respectfully report at follows: That House Bill No. 413 do not pass.

BARDANOUE, Chairman

Bardanoue moved for adoption of the Committee report.

As a substitute motion, Marbut moved that House Bill No. 413 be held over until the Second Session of the 43rd Legislative Session in January, 1974.

Motion carried.

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 572, respectfully report as follows: That House Bill No. 572 do not pass.

BARDANOUE, Chairman

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanoue, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Forsgren, Glennen, Cotton, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 79.

Noes: None

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Baucus, Brown, Fasbender, Flynn, Galt, Johnston, Lundgren, Mehrens, Menahan. Total 9.

March 23, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 614, respectfully report as follows: That House Bill No. 614 do not pass.

BARDANOUE, Chairman

Report was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanoue, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton,

Cox, Driscoll, East, Edland, Fasbender, Forsgren, Glennen, Gunderson, Hager, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lien, Lockrem, Lombardi, Lynch, McKittrick, Manuel, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turner, Warfield, Watt, Zimmer, Mr. Speaker. Total 68.

Noes: Bennetts, H. Harper, Holmes, Marbut, Tierney, Turman. Total 6.

Excused: Baeth, Ellerd, Fagg, Fleming, Hageman, Haines, Lee, Lucas, Seifert, Selstad, Walborn, Yardley. Total 12.

Absent or not voting: Brown, Flynn, Galt, Greely, Hubing, Kendall, Laas, Lund, Lundgren, Marks, Mehrens, Menahan, Roberts, Ulmer. Total 14.

March 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Resolution No. 28 and House Resolution No. 29.

QUILICI, Chairman

March 23, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 55, 56, 57, 211, 220, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:45 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

#### MESSAGES FROM THE SENATE

March 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in the House amendments to Senate Bill No. 352 and the President was authorized to appoint a Conference Committee of three to meet with a like committee from the House to confer on said amendments.

The President appointed the following members:

Senator Bennett, Chairman

Senator McNamer

Senator Harrison

Respectfully,

JOHN N. HANSON

Secretary of the Senate

Hall moved that the House stand in recess, subject to call of the Chair. Motion carried.

House recessed.

#### EVENING SESSION

House resumed. Mr. Speaker in the Chair.

March 23, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 350.

QUILICI, Chairman



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## MESSAGES FROM THE SENATE

March 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did this day fail to concur in House amendments to Senate Bill No. 54 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on said bill.

The President appointed the following members:

Senator Lynch, Chairman

Senator Thiessen

Senator Moore

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 23, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did dissolve the Conference Committee on Senate Bill No. 352 and the President was authorized to appoint a new Free Conference Committee to meet with a like committee from the House to confer on said bill.

The President appointed the following members:

Senator Bennett, Chairman

Senator McNamer

Senator Harrison

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint Free Conference Committees to meet with like committees from the Senate on Senate Bill No. 54 and Senate Bill No. 352.

Motion carried.

Gunderson, having voted on the prevailing side in failing to adopt the Conference Committee report on House Bill No. 463, moved that the House reconsider its action. Mehrens moved for Call of the House.

Sufficient seconds not appearing, the Call of the House was not ordered.

As a substitute motion, Fasbender moved that the motion to reconsider be postponed until the next legislative day.

Motion carried.

## UNFINISHED BUSINESS

The Speaker appointed the following Conference Committees:

Free Conference Committee on Senate Bill No. 54: Gerke, chairman; Fasbender and Turman.

Free Conference Committee on Senate Bill No. 352: Greely, Chairman; Hall, Baucus.

Fasbender moved that the House adjourn until 10:00 a.m., March 24, 1973. Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

ED SMITH, Chief Clerk

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## SPECIAL SESSION TWELFTH LEGISLATIVE DAY

House of Representatives

Helena, Montana

March 24, 1973

House convened, pursuant to adjournment, at 10:00 a.m. Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call, all members present except Baeth, Ellerd, Fleming, Flynn, Galt, Hageman, Haines, Jacobsen, Kolstad, Lee, Lucas, Lundgren, Manuel, Norman, Seifert, Selstad, Swanberg, Walborn, Yardley, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Special Session 11th Legislative Day, find the same to be correct.

QUILICI, Chairman

## COMMUNICATIONS AND PETITIONS

Mr. Speaker:

I request a ruling on the provision in Section 5-4 of the Joint Rules which states after the 54th day, a motion to reconsider shall be disposed of when made.

TIERNEY

## MESSAGES FROM THE GOVERNOR

March 23, 1973

The Honorable Bill Christiansen  
President of the Senate  
State Capitol  
The Honorable Harold Gerke  
Speaker of the House  
State Capitol

Gentlemen:

In exercising the constitutional powers granted me as the Governor of Montana, I hereby veto Senate Bill 233, "An act amending Section 53-1020, R.C.M. 1947, to change the point of measurement of the allowable sound level for snowmobiles from fifteen (15) feet to fifteen (15) meters." I exercise this veto for the following reasons:

First, proponents of Senate Bill 223 have argued that by increasing the measuring distance for sound levels from fifteen feet to fifteen meters,

Montana's noise emission standards for new snowmobiles will be uniform with similar laws in neighboring states. While the need for uniformity may be desirable, this argument cannot override the State's duty to protect the health and welfare of its citizens. By increasing the measuring distance at which noise levels of new snowmobiles would be measured. Senate Bill 233 would in effect substantially increase the sound levels to which snowmobile operator, passengers and bystanders would be exposed. For example, the current noise standards for new snowmobiles provide that exposures to noise shall not exceed 85 decibels (dBA) when measured from a distance of fifteen feet. If the measuring distance were changed to fifteen meters, a person standing fifteen feet away from a new snowmobile would then be exposed to a sound level of 95.2 decibels (dBA). However, the operator of a new snowmobile which would meet the proposed fifteen meter standard would actually be exposed to a noise level of 120 decibels (dBA). By way of comparison, Federal Occupational Safety and Health Act (OSHA) standards prohibit exposure to sound levels of 120 decibels (dBA) for longer than seven and one-half minutes during any one working day.

Second, I have decided to veto Senate Bill 233 because technology now exists which would allow new snowmobiles to meet the stricter standards imposed by Montana law. At least three snowmobile manufacturers are now producing snowmobiles that can and do meet the 85 decibels (dBA) standard measured at a distance of fifteen feet. This standard places the burden of compliance where it belongs, with the manufacturer and not with the consumer.

Finally, I have vetoed Senate Bill 233 because the legislature will have under consideration in 1974 Senate Bill 318, the Montana Snowmobiles Act. This proposed legislation contains provision for the promulgation of noise emission standards and I believe that the change contemplated by Senate Bill 233 should be considered at that time.

Sincerely,

THOMAS L. JUDGE  
Governor

### MOTIONS AND RESOLUTIONS

Fasbender moved that the motion of Gunderson's at the previous sitting be reinstated, that the House reconsider its action on not adopting the Conference Committee report on House Bill No. 463.

Robert Harper moved the previous question and requested a Call of the House. Sufficient seconds having not arisen, the Call of the House was not ordered.

Gunderson requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, Fasbender, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Kimble, Lund, Marbut, Roberts, Shelden, Stoltz, Tierney, Towe, Turman, Turner, Watt. Total 34.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Cox, East, Edland, Fagg, Flynn, Forsgren, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Nichols, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Ulmer, Warfield, Mr. Speaker. Total 51.

Excused: Baeth, Ellerd, Fleming, Galt, Hageman, Haines, Kolstad, Lundgren, Seifert, Selstad, Swanberg, Walborn, Yardley. Total 13.

Absent or not voting: Kendall, Zimmer. Total 2.

Paired: Lee, no, Hall, aye; Jacobsen, no, Colberg, aye; Manuel, no, Huennekens, aye; Flynn, no, Holmes, aye; Mehrens, no, Fasnender, aye; Lucas, no, Greely, aye; Norman, no, Bennetts, aye.

I have examined House Bill No. 350 introduced by me and find the same to be correct.

#### MARBUT

I have examined House Resolution No. 43 introduced by me and find the same to be correct.

#### BAUCUS

I have examined House Resolution No. 24 introduced by me and find the same to be correct.

#### KIMBLE

I have examined House Resolution No. 14 introduced by me and find the same to be correct.

#### HAGER

I have examined House Resolution No. 41 introduced by me and find the same to be correct.

#### BARDANOUVE

I have examined House Resolution No. 27 introduced by me and find the same to be correct.

#### COTTON

I have examined House Resolution No. 16 introduced by me and find the same to be correct.

#### GREELY

I have examined House Resolution No. 17 introduced by me and find the same to be correct.

#### MARKS

I have examined House Resolution No. 42 introduced by me and find the same to be correct.

#### FASBENDER

I have examined House Resolution No. 32 introduced by me and find the same to be correct.

#### DRISCOLL

I have examined House Resolution No. 30 introduced by me and find the same to be correct.

#### KENDALL

I have examined House Resolution No. 28 introduced by me and find the same to be correct.

#### QUILICI

I have examined House Resolution No. 35 introduced by me and find the same to be correct.

#### LUCAS

I have examined House Resolution No. 29 introduced by me and find the same to be correct.

#### KVAALEN

The Speaker signed the following bills in open session: Senate Bills Nos. 127 and 339 and House Bill No. 350 and House Resolutions Nos. 24, 14, 41, 27, 16, 17, 42, 43, 32, 30, 28, 35, 29.



Fasbender moved that the House recess until 1:30 p.m., this day. Motion carried.

House recessed.

#### AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Representative Mehrens introduced Gene Fullmer, Middle Weight Champion of the World, to the Assembly, who addressed the members briefly.

#### REPORTS OF STANDING COMMITTEES

March 24, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 282, respectfully report as follows: That Senate Bill No. 282 be held over until the second half of the 43rd Legislative Session in January, 1974.

BARDANOUE, Chairman

Report adopted.

March 24, 1973

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be held over until the second half of the 43rd Legislative Session in January, 1974.

BARDANOUE, Chairman

Report adopted.

#### REPORTS OF SELECT COMMITTEES

March 24, 1973

Senate Bill No. 352

#### JOINT FREE CONFERENCE COMMITTEE REPORT

Mr. Speaker and President of the Senate:

We, your Joint Senate and House Free Conference Committee on Senate Bill No. 352, beg leave to report as follows:

That we met this day and considered House amendments dated March 22, 1973, to Senate Bill No. 352 and recommended as follows:

That the title of the engrossed bill be amended on page 1, lines 7 through 11, by striking all of the language following the word "Montana" on line 7 through the word "appropriation" on line 11 and by inserting in lieu thereof the words "coordinator of statutes; to amend Section 12-332.1, R.C.M. 1947; to provide an effective date".

That the key line on line 4 of page 1 be amended by adding "12-332.1".

That the bill be amended by striking all of the material following the enacting clause and by inserting in lieu thereof the following material:

"Section 1. There is created a coordinator of statutes within the office of the Legislative Council who is responsible for preparing the supplements to the revised codes of Montana during and after each session of the legislature.

Section 2. Section 12-332.1, R.C.M. 1947, is amended as follows:

"12-332.1. The [supreme court of the State of Montana] legislative

council is [hereby] authorized and directed to supervise and control the publication of all supplements to the revised codes of Montana of 1947, as to form, and to determine from time to time whether or not any volume should be replaced and when such replacement shall be had.

Section 3. This act is effective on passage and approval."

That Senate Bill No. 352 be concurred in as amended.

(Material in brackets denotes cancelled type.)

FOR THE SENATE:

HARRISON

BENNETT

FOR THE HOUSE:

HALL

GREELY

BAUCUS

Greely moved for adoption of the Conference Committee report and that the committee be dissolved.

Report adopted by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huenekens, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lynch, Marbut, Marks, Menahan, Mercer, Murphy, Nichols, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 71.

Noes: None.

Excused: Baeth, Cotton, East, Ellerd, Fleming, Flynn, Galt, Hageman, Haines, Hubing, Jacobsen, Kolstad, Lee, Lucas, Lundgren, McKittrick, Manuel, Mehrens, Norman, Seifert, Selstad, Stephens, Swanberg, Walborn, Yardley, Zimmer. Total 26.

Absent or not voting: Ainsworth, Bardanoue, Johnston. Total 3.

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Rules be suspended and that the House recall House Bill No. 575 from the office of the Governor.

Motion carried.

Fasbender moved that the House stand in recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

## REPORTS OF SELECT COMMITTEES

Mr. Speaker of the House:

We, your Select Committee on Scenic Rivers, beg leave to report as follows:

WHEREAS, House Bill No. 133 establishing a structure for regulation of certain watercourses in Montana has generated much debate and discussion in this first regular session, and

WHEREAS, a select committee of the House was formed to resolve the question as to whether the bill should be disposed of this session or deferred until the second regular session, and

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WHEREAS, the select committee unanimously agrees that the concept of protecting the watercourses of Montana for future generations of Montanans is one worthy of workable legislation, and

WHEREAS, the select committee wishes to provide the opportunity for concerned landowners along Montana watercourses to participate in the drafting of legislation designed to protect these watercourses, and

WHEREAS, if the House of Representatives kills House Bill No. 133 in this first session, legislation with a similar purpose cannot be introduced or considered in the second regular session, and

WHEREAS, the select committee on scenic rivers unanimously agrees that alternatives should be presented to the second regular session, NOW, THEREFORE:

BE IT RESOLVED, that the existing select committee on scenic rivers be continued through the interim between the first and second sessions of the 43rd Legislature for the purpose of preparing recommendations which will establish a limited framework for the protection of certain watercourses in the State of Montana, and

BE IT FURTHER RESOLVED, that the select committee be directed to hold hearings in those parts of the state to be directly affected by legislation designed to protect state watercourses, so that as many segments of the public as possible can participate in the preparation of the legislation, and

BE IT FURTHER RESOLVED, that as a result of these hearings and other interim studies, the select committee make recommendations designed to protect Montana watercourses for present and future generations of Montanans and submit these recommendations to the second session of the 43rd Legislature, and

BE IT FURTHER RESOLVED, that when these recommendations have been submitted, the House of Representatives take final action to dispose of House Bill No. 133.

FRANCIS BARDANOUVE  
GEO. TURMAN  
ROBERT C. PREVOST

JOE QUILICI  
ROBERT L. MARKS

Report adopted.

March 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 465.

QUILICI, Chairman

I have examined House Bill No. 465 introduced by me and find the same to be correct.

BAUCUS

The Speaker signed in open session House Bill No. 465.

#### MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 575 be taken from Committee on Finance and Claims and be placed on Second Reading this day.

Motion carried.

#### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair.

Committee arose.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 575 be amended in Section 1, page 3, between lines 5 and 6, by inserting the following:

“DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

All monies collected from filing fees under section 6(2) of the Montana Utility Siting Act of 1973 and deposited in the general fund since the effective date of that Act are appropriated to the Department of Natural Resources and Conservation.

From the general fund for administration of the Montana Utility Siting Act of 1973. Forty-four thousand nine hundred and sixty dollars ...\$44,960.” (63-0)

And as amended, do pass (58-2).

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Fasbender moved that House Bill No. 575 be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Ayes: Aageson, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Hall, R. Harper, Healy, Hodges, Huennekens, Johnston, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Marbut, Marks, Mercer, Murphy, Nichols, Norman, Prevost, Regan, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Watt, Mr. Speaker. Total 59.

Noes: Burnett. Total 1.

Excused: Ainsworth, Baeth, Brand, Brown, Cotton, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Hageman, Haines, Halvorson, H. Harper, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kolstad, Lee, Lundgren, Lynch, Manuel, Mehrens, Menahan, Olson, Quilici, Roberts, Seifert, Selstad, Shelden, Turman, Turner, Walborn, Yardley, Zimmer. Total 40.

Absent or not voting: None.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 459, introduced by Hazelbaker, McCallum, Deschamps, Rosell: A bill for an act entitled: “An act for the codification and general revision of the laws relating to the Department of Business regulation [and



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providing that this act is effective upon its passage and approval.]” Referred to Committee on Judiciary.

(Material in brackets denotes cancelled type.)

Fasbender moved that the House stand in recess, subject to call of the Chair. Motion carried.

House in recess.

House resumed Mr. Speaker in the Chair.

March 24, 1973

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 522, 575.

QUILICI, Chairman

I have examined House Bill No. 522 introduced by me and find the same to be correct.

GERKE

The Speaker signed in open session House Bill No. 522.

Edland moved to recess subject to call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker signed in open session Senate Bills Nos. 7, 54, 197, 352, 457, 469 and 470.

March 24, 1973

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 575, 522, 465, 350, do hereby report that said bills together with a copy thereof signed by the Speaker of the House and President of the Senate, were this day, at the hour of 5:45 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

## MESSAGES FROM THE GOVERNOR

March 24, 1973

Honorable Harold Gerke  
Speaker of the House of Representatives  
Capitol  
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 26, 65, 153, 205, 265, 320, 343, 367, 372, 373, 513 and 519.

House Joint Resolution No. 37.

Sincerely,

THOMAS L. JUDGE  
Governor

cc: Honorable Bill Christiansen

March 24, 1973

Mr. Ed Smith  
Chief Clerk  
Montana State House of Representatives  
43rd Legislative Assembly  
Capitol  
Helena, Montana

Dear Mr. Smith:

Attached is House Bill No. 575, which you requested to be returned for the purpose of Amendments.

Very truly yours,

THOMAS L. JUDGE  
Governor

MESSAGES FROM THE SENATE

March 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 522, introduced by Gerke, et al, was this day read three several times at length, title and history agreed to, and was concurred in by two-thirds vote of the membership and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did adopt the following Conference Committee reports on roll call and the committees were dissolved.

Conference Committee Report on Senate Bill No. 352

Conference Committee Report on Senate Bill No. 470

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 30, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 459, introduced by Carl, et al, was this day read three several times and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

JOHN N. HANSON  
Secretary of the Senate

March 24, 1973

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 575, introduced by Bardanouve, has this day been read three several

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times at length and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

JOHN N. HANSON

Secretary of the Senate

## MOTIONS AND RESOLUTIONS

Fasbender moved that the Speaker appoint a committee to notify the Senate that the House has finished its business and was ready to adjourn.

Motion carried.

The Speaker appointed Representatives Lynch, Menahan, Quilici, Kvaalen, Nichols and Bardanouve to notify the Senate.

A committee from the Senate composed of Senators Manning, Rosell, Moritz and Shea were admitted and they notified the House that the Senate was ready to adjourn.

The committee from the House returned from notifying the Senate that the House was ready to adjourn. The committee was thanked for discharging its duties and was dismissed.

Fasbender moved that the First Special Session of the 43rd Legislative Assembly be adjourned.

Motion carried.

House adjourned.

HAROLD E. GERKE

ED SMITH, Chief Clerk











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OF THE

STATE OF MONTANA

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Held at Helena, the Seat of Government of Said State,  
Commencing in Regular Session January 1, 1973 and  
Ending March 10, 1973, and  
Commencing in Special Session March 12, 1973, and  
Ending March 24, 1973.

Ed Smith  
Chief Clerk

Rosella Wilson  
Journal Clerk

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# OFFICERS AND MEMBERS

## OF THE

### Forty-third Legislative Assembly of the State of Montana

## 1973

THOMAS L. JUDGE, Governor

Bill Christiansen, Lieutenant Governor, President of the Senate

Cornie R. Thiessen, President Pro Tem

Percy DeWofe, President Pro Tem (Ad Interim)

Harold E. Gerke, Speaker of the House

### Members of the Senate

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
*Aber, L. M. (Larry)	228 3rd Ave. No., Columbus 59019	7	Stillwater	Republican
Bennett, George T.	P.O. Box 1166, Helena 59601	12	Lewis & Clark	Republican
*Bertsche, Wm. H.	1917 4th Ave. No., Great Falls 59401	13	Cascade	Democrat
*Bollinger, Gordon E.	217 Klein Ave., Glasgow 59230	4	Valley	Democrat
*Boylan, Paul F.	Star Route, Bozeman 59715	11	Gallatin	Democrat
*Breeden, J. W. "Brick"	1202 South Willson, Bozeman 59715	11	Gallatin	Republican
Broeder, Fred O.	Route 4, Kalispell 59901	16	Flathead	Republican
*Carl, Fred G.	P.O. Box 477, Missoula 59801	18	Missoula	Republican
Cochrane, Archie M.	2958 Upper Highwood, Billings 59102	8	Yellowstone	Republican
Darrow, George	804 Midland Bank Bldg., Billings 59101	8	Yellowstone	Republican
Deschamps, G. W. "Por"	Route 2, Mullan Rd., Missoula 59801	18	Missoula	Republican
Devine, John W. (Jack)	Box 1443, Great Falls 59401	13	Cascade	Democrat
DeWofe, Percy	Box 250, Browning 59517	15	Glacier	Democrat
Drake, Glen L.	So. Annex, Power Block, Helena 59601	12	Lewis & Clark	Republican
*Flynn, Elmer	Route 2, Mullan Rd., Missoula 59801	18	Missoula	Democrat
*Gilfeather, P. J.	2816 4th Ave. So., Great Falls 59401	13	Cascade	Democrat
Goodheart, B. J. "Swede"	P.O. Box 1013, Malta 59538	5	Phillips	Democrat
Graham, Carroll A.	Lodge Grass 59050	1	Big Horn	Democrat
*Groff, W. A. "Bill"	Box 46, Victor 59875	22	Ravalli	Democrat
Hall, Mrs. John Nelson	212 12th St. No., Great Falls 59401	13	Cascade	Democrat
*Harrison, James T., Jr.	1100 Choteau, Helena 59601	12	Lewis & Clark	Republican
*Hazelbaker, Frank W.	Box 430, Dillon 59725	21	Beaverhead	Republican
*Himsel, Matt	305 4th Ave. E., Kalispell 59901	16	Flathead	Republican
James, David F.	P.O. Box 221, Joplin 59531	14	Liberty	Democrat
*Jensen, Arthur N.	P.O. Box 668, Superior 59872	23	Mineral	Democrat
Keenan, P. J.	1112 East Fifth, Anaconda 59711	19	Deer Lodge	Democrat
*Klindt, Herbert J.	402 Alderson Ave., Billings 59102	8	Yellowstone	Republican
*Lowe, William R. "Bill"	1008 Poly Dr., Billings 59102	8	Yellowstone	Republican
Lynch, Neil J.	2101 Harrison Ave., Butte 59701	20	Silver Bow	Democrat
McCallum, George	Niarada 59852	23	Sanders	Republican
McDonald, John K. (Jack)	Belt 59412	13	Cascade	Democrat
*McGowan, Gordon	Rural Route, Highwood 59450	14	Chouteau	Democrat
*McKeon, Luke	316 E. 7th, Anaconda 59711	19	Deer Lodge	Democrat
McNamer, William R.	P.O. Box 1383, Billings 59103	8	Yellowstone	Republican
*McOmber, Gordon	R.R. 2, Fairfield 59436	15	Teton	Democrat
Manning, Dave	Hysham 59038	6	Treasure	Democrat
Mathers, William L.	P.O. Box 267, Miles City 59301	2	Custer	Republican
Moore, Jim	Two Dot 59085	9	Wheatland	Republican
Moritz, Earl	1024 W. Evelyn, Lewistown 59457	10	Fergus	Republican
Nees, Stanley	432 B Street West, Poplar 59255	4	Roosevelt	Democrat
Northey, Harry T.	514 Daly Ave., Missoula 59801	18	Missoula	Republican
*Rosell, Antoinette Fraser	4200 Rimrock Road, Billings 59102	8	Yellowstone	Republican
*Shea, James R. "Jimmy"	604 West Daly St., Walkerville 59701	20	Silver Bow	Democrat
*Siderius, George	c/o Somer's Stage, Kalispell 59901	16	Flathead	Democrat
*Sorenson, C. F. (Smoky)	#9 Brookwood Park, Rte. #1 So., Gt. Falls 59401	13	Cascade	Democrat
Story, Peter R.	Emigrant 59027	11	Park	Republican
Thiessen, Cornie R.	Box 195, Lambert 59243	3	Richland	Democrat
*Turnage, Jean A.	P.O. Box 450, Polson 59860	17	Lake	Republican
*Vainio, Leonard E.	1701 Grand Ave., Butte 59701	20	Silver Bow	Democrat
*Zody, A. A.	503 So. Pearson, Glendive 59330	3	Dawson	Democrat

\*Term expires 1975; all other Senators four-year terms.

1. Replaced Bennett, W. F., resigned Dec. 1972.



# House of Representatives

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Aageson, Dave.....	Gildford 59525.....	14	Hill.....	Republican
Ainsworth, A. L. (Bud).....	4111 Timberlane, Missoula 59801.....	18	Missoula.....	Republican
Asbjornson, J. O. "Boots".....	P.O. Box 794, Winifred 59489.....	10	Fergus.....	Republican
Baeth, William R. (Bill).....	805 Minnesota Ave., Libby 59923.....	23	Lincoln.....	Democrat
Barदानoue, Francis.....	Harlem 59526.....	5	Blaine.....	Democrat
Barrett, Fred O.....	259 SW Maple, Lewistown 59457.....	10	Fergus.....	Republican
Baucus, Max S.....	525 So. Fifth St. East, Missoula 59801.....	18	Missoula.....	Democrat
Bell, John F.....	Birdseye, Helena 59601.....	12	Lewis & Clark.....	Republican
Bennetts, Barbara K.....	25 South Benton, Helena 59601.....	12	Lewis & Clark.....	Democrat
Bradley, Dorothy M.....	Box 114, Rt. 3, Bozeman 59715.....	11	Gallatin.....	Democrat
Brand, Joe.....	800 Montana Ave., Deer Lodge 59722.....	19	Powell.....	Democrat
Brown, Robert J. (Bob).....	Route #1, Whitefish 59937.....	16	Flathead.....	Republican
Burnett, James H. "Jim".....	Star Route, Luther 59051.....	7	Carbon.....	Republican
Campbell, William C.....	630 Flowerree, Helena 59601.....	12	Lewis & Clark.....	Republican
Castles, Ruth B.....	York Route, Helena 59601.....	12	Lewis & Clark.....	Republican
Clemow, Tom.....	Box 828, Jackson 59736.....	21	Beaverhead.....	Republican
Colberg, Richard A.....	631 Terry Ave., Billings 59102.....	8	Yellowstone.....	Democrat
Cotton, Robert S.....	S.W. Glasgow, Glasgow 59230.....	5	Valley.....	Democrat
Cox, Henry S. "Hank".....	1439 Colton Blvd., Billings 59102.....	8	Yellowstone.....	Republican
Driscoll, John B.....	424 S. 2nd St., Hamilton 59840.....	22	Ravalli.....	Democrat
East, Vic.....	Box 83, Forsyth 59327.....	6	Rosebud.....	Republican
Edland, Wallace B.....	Box 98, Scobey 59263.....	4	Daniels.....	Democrat
Ellerd, Robert A.....	2206 Bridger Dr., Bozeman 59715.....	11	Gallatin.....	Republican
Fagg, Harrison G.....	1414 Mystic Dr., Billings 59102.....	8	Yellowstone.....	Republican
Fasbender, Larry.....	Route 1, Box 23, Fort Shaw 59443.....	13	Cascade.....	Democrat
Fleming, James F., Jr.....	Box 116, Pablo 59855.....	17	Lake.....	Democrat
Flynn, James W.....	P.O. Box 524, Dillon 59725.....	21	Beaverhead.....	Democrat
Forsgren, Wallace O.....	Box 225, Bozeman 59715.....	11	Gallatin.....	Republican
Galt, Jack E.....	Martinsdale 59053.....	9	Meagher.....	Republican
Gerke, Harold E.....	202 Mountain View Blvd., Billings 59101.....	8	Yellowstone.....	Democrat
Glennen, Robert E.....	1005 No. 32nd, Billings 59101.....	8	Yellowstone.....	Republican
Greely, Michael T.....	409 Strain Bldg., Great Falls 59401.....	13	Cascade.....	Democrat
Gunderson, Jack.....	P.O. Box 187, Power 59468.....	13	Cascade.....	Democrat
Hageman, Alvin.....	Stillwater Co. Rural Rte., Broadview 59015.....	7	Stillwater.....	Democrat
Hager, Tom.....	1540 Elaine St., Billings 59101.....	8	Yellowstone.....	Republican
Haines, Tom.....	15 Martha's Crt., Missoula 59801.....	18	Missoula.....	Republican
Hall, John C.....	1020 Third Ave. No., Great Falls 59401.....	13	Cascade.....	Democrat
Halvorson, Ora J.....	244 Woodland Ave., Kalispell 59901.....	16	Flathead.....	Democrat
Harper, Hal.....	509 Logan, Helena 59601.....	12	Lewis & Clark.....	Republican
Harper, Robert J. "Bob".....	68 Missoula Ave., Butte 59701.....	20	Silver Bow.....	Democrat
Healy, John E. (Jack).....	624 West Granite, Butte 59701.....	20	Silver Bow.....	Democrat
Hodges, William C.....	106 25th St. No., Great Falls 59401.....	13	Cascade.....	Democrat
Holmes, Mrs. Polly.....	1620 Ave. F., Billings 59102.....	8	Yellowstone.....	Democrat
Holtz, Malcolm E.....	2625 4th Ave. No., Great Falls 59401.....	13	Cascade.....	Republican
Huening, Lee.....	Terry 59349.....	6	Prairie.....	Republican
Huebnekens, Herb.....	3216 Rimrock Rd., Billings 59102.....	8	Yellowstone.....	Democrat
Jacobsen, Glenn.....	Reserve 59258.....	4	Sheridan.....	Democrat
Johnston, George R.....	504 3rd St. S.E., Cut Bank 59427.....	15	Glacier.....	Democrat
Jones, Tom L. <sup>2</sup> .....	31 Second St. East, Kalispell 59901.....	16	Flathead.....	Republican
Kendall, Orin P.....	P.O. Box 563, Thompson Falls 59873.....	23	Sanders.....	Democrat
Kessner, Jack E.....	154 Riverview C., Great Falls 59404.....	13	Cascade.....	Republican
Kimble, Gary.....	640 S. 6th E., Missoula 59801.....	18	Missoula.....	Democrat
Kolstad, Allen C.....	Chester 59522.....	14	Liberty.....	Republican
Kosena, Albert E. (Al).....	106 No. Main, Anaconda 59711.....	19	Deer Lodge.....	Democrat
Kvaalen, Oscar S.....	Lambert 59243.....	3	Richland.....	Republican
Laas, Walter.....	Chester 59522.....	14	Liberty.....	Democrat
Lee, Robert E. (Bob).....	1945 Florida, Butte 59701.....	20	Silver Bow.....	Democrat
Lien, Orphey "Bud".....	P.O. Box 666, Poplar 59255.....	4	Roosevelt.....	Democrat
Lockrem, Lloyd C., Jr.....	3109 Edmond St., Billings 59102.....	8	Yellowstone.....	Republican
Lombardi, Jerry V.....	947 Waukesha, Butte 59701.....	20	Silver Bow.....	Democrat
Lucas, James P.....	1920 Sudlow, Miles City 59301.....	2	Custer.....	Republican
Lund, Art.....	Box 806, Scobey 59263.....	4	Daniels.....	Republican
Lundgren, Conrad F.....	844 Woodland, Kalispell 59901.....	16	Flathead.....	Republican
Lynch, John "J.D.".....	527 W. Mercury, Butte 59701.....	20	Silver Bow.....	Democrat
McKittrick, Pat.....	4039 Ella Ave., Great Falls 59405.....	13	Cascade.....	Democrat
Manuel, Rex.....	Fairfield 59436.....	15	Teton.....	Democrat
Marbut, Gary R.....	Grant Creek, Missoula 59801.....	18	Missoula.....	Republican
Marks, Robert L. (Bob).....	Clancy 59634.....	12	Jefferson.....	Republican
Mehrens, John "Sandy".....	206 Evergreen, Anaconda 59711.....	19	Deer Lodge.....	Democrat
Menahan, William "Red".....	1304 West Fifth, Anaconda 59711.....	19	Deer Lodge.....	Democrat
Mercer, Wallace W. (Wally).....	Box 1556, Billings 59102.....	8	Yellowstone.....	Republican
Murphy, John.....	Box 40, Stanford 59479.....	14	Judith Basin.....	Democrat
Nichols, Norris.....	Rt. 2, Stevensville 59870.....	22	Ravalli.....	Republican
Norman, Bill.....	440 Connell, Missoula 59801.....	18	Missoula.....	Democrat
Olson, S. A.....	Glendive Med. Cent., Glendive 59330.....	3	Dawson.....	Republican
Prevost, Robert C.....	Lambert 59243.....	3	Richland.....	Democrat
Quilici, Joe.....	3040 Kossuth, Butte 59701.....	20	Silver Bow.....	Democrat
Regan, Ann K. "Pat".....	204 Mountain View, Billings 59101.....	8	Yellowstone.....	Democrat
Roberts, Joe R.....	920 Main St., Libby 59923.....	23	Lincoln.....	Democrat

# HOUSE OF REPRESENTATIVES—(Continued)

Rolfe, Tom.....	1219½ West Koch, Bozeman 59715.....	11	Gallatin.....	Republican
Schepens, Henry J.....	P.O. Box 591, Sidney 59270.....	3	Richland.....	Democrat
Schye, Elmer.....	P.O. Box 504, White Sulphur Springs 59643.....	9	Meagher.....	Republican
Seifert, Carl A.....	Box 90, Polson 59860.....	17	Lake.....	Republican
Selstad, Tom.....	133 29th Ave. NW, Great Falls 59404..	13	Cascade.....	Republican
Shelden, Arthur H.....	Rt. 1, Box 1650, Libby 59923.....	23	Lincoln.....	Democrat
Smith, Carl M.....	Olive 59343.....	1	Powder River..	Republican
Staigmiller, John B.....	P.O. Box 422, Cascade 59421.....	13	Cascade.....	Democrat
Stephens, Robert E.....	P.O. Box 218, Dutton 59433.....	15	Teton.....	Democrat
Stoltz, Gail.....	Valier 59486.....	15	Pondera.....	Democrat
Swanberg, Gorham E.....	P.O. Box 2567, Great Falls 59403.....	13	Cascade.....	Democrat
Tierney, John F.....	Eden Route, Great Falls 59401.....	13	Cascade.....	Republican
Towe, Thomas E.....	2640 Burlington Ave., Billings 59102...	8	Yellowstone....	Democrat
Turman, George.....	1525 Gerald Ave., Missoula 59801.....	18	Missoula.....	Republican
Turner, Clyde A.....	920 Kalispell Ave., Whitefish 59937...	16	Flathead.....	Republican
Ulmer, Walter J.....	121 So. Merriam, Miles City 59301.....	2	Custer.....	Republican
Walborn, John E.....	P.O. Box 451, Hardin 59034.....	1	Big Horn.....	Republican
Warfield, Bill.....	Hoffman Route, Livingston 59047.....	11	Park.....	Republican
Watt, Robert D.....	451 Kensington Ave., Missoula 59801..	18	Missoula.....	Democrat
Yardley, Dan.....	P.O. Box 482, Livingston 59047.....	11	Park.....	Democrat
Zimmer, William (Bill).....	P.O. Box 67, Olney 59927.....	16	Flathead.....	Democrat

2. Replaced Himsl, Matt, resigned.



Compiled and Published from the official files of Frank Murray, Secretary of State,  
Helena, Montana.

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## ERRATA

- Page 71, 4th line—House Bill No. 3 should read House Bill No. 8.
- Page 127, 1st line of 3rd paragraph—House Bill No. 137 should read House Bill No. 173.
- Page 432, 11th paragraph—And, as amended, do pass. SHOULD READ—  
And, as amended, do not pass.
- Page 668, following 10th paragraph—Insert—House Bill No. 585, introduced by Fasbender, Bardanouve: A bill for an act entitled: An act appropriating moneys for development of Giant Springs State Park provided local donations are available. Referred to Long Range Building Committee. (Omitted in the original House Journal but listed in the House Bill Book).
- Page 852, 1st line, 7th paragraph, Senate Bill No. 142, should read House Bill No. 142.
- Page 183, Special Session Section, 1st line of last paragraph—Senate Bill 223 should read Senate Bill No. 233.





# SUBJECT INDEX

**Should be used in connection with the Title Index on Page 1  
Title Index Section for the House Bills and Page 107  
for the Senate Bills. Chapter Numbers listed  
Herein refer to Laws of 1973.**

NOTE: This index covers both the first regular and first special sessions of the 43rd Legislative Assembly. Bills were not reintroduced or re-numbered for the special session. Action taken in the special session is indicated in the Title Index by an "S" before the page number.

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16	Introduced by Sheldon and Lucas (by request). A bill for an act entitled: "An act to provide for a general revision of the tax laws of Montana to implement Article VIII, Sections 3 and 7 of the 1972 Montana Constitution by designating the State Department of Revenue as the tax administration agency for the State of Montana, by replacing the State Board of Equalization with a state tax appeal board, by designating county assessors as agents of the State Department of Revenue, and by providing for County Tax Appeal Boards; and to repeal Sections 84-211, 84-429.10, 84-443, 84-444, 84-445, 84-446, 84-447, 84-453, 84-502, 84-503, 84-4732, 84-4733, 84-4734, and 84-4735." .....	36, 166, 167, 168, 261, 293, 295, 348, 381, 1011, 1037, SA-1044, S-41, 62, 98, 158
17	Introduced by Sheldon and Lucas (by request). A bill for an act entitled: "An act to amend Sections 4-354, 7-122, 15-2285, 15-22-112, 16-910, 16-2010, 16-3706, 16-3912, 16-3916, 25-605, 25-609, 32-2607, 32-3804, 50-1032, 50-1220, 51-303, 53-703, 53-1013, 53-1025, 59-1109, 59-1110, 66-223, 66-227, 67-2211, 67-2212, 67-2213, 67-2214, 67-2215, 67-2216, 67-2217, 67-2218, 67-2219, 67-2220, 67-2221, 67-2222, 67-2223, 67-2224, 67-2225, 67-2226, 67-2317, 67-2318, 67-2340, 67-2342, 69-3502, 69-3504, 69-3504.1, 69-3923, 69-6007, 71-236, 75-6410.1, 75-6711, 81-928, 81-930, 81-1115, 81-1116, 81-1117, 81-1118, 82-1501, 82-1506, 82-1512, 82-1925.1, 82A-1801, 82A-1803, 82A-1804, 89-1812, 89-2401, 91-502, 91-504, 91-505, 91-506, 91-507, 91-508, 91-509, 91-523, 91-4321, 91-4414.1, 91-4415, 91-4418, 91-4419, 91-4421, 91-4423, 91-4425, 91-4426, 91-4427, 91-4428, 91-4429, 91-4430, 91-4431, 91-4437, 91-4438, 91-4439, 91-4440, 91-4442, 91-4443, 91-4444, 91-4445, 91-4446, 91-4447, 91-4448, 91-4449, 91-4450, 91-4451, 91-4454, 91-4455, 91-4459, 91-4460, 91-4461, 91-4462, 91-4463, 91-4464, 94-1506, and 94-35-260, R.C.M. 1947, to provide for a general revision of the tax laws of Montana to implement Article VIII, Sections 3 and 7 of the 1972 Montana Con-	

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	stitution by designating the State Department of Revenue as the tax administration agency for the State of Montana, by replacing the State Board of Equalization with a State Tax Appeal Board, by designating county assessors as agents of the State Department of Revenue, and by providing for County Tax Appeal Boards; and to repeal Sections 16-1016, 16-3703, and 91-4466, R.C.M. 1947." .....	36, 37, 69, 165, 237, 259, 282, 293, 295, 347, 381, 382, 430, 1011, 1037, SA-1045, S-24, 36, 37, 61, 138
18	Introduced by Shelden and Lucas (by request): A bill for an act entitled: "An act to amend Sections 79-301, 79-306, and 79-601, R.C.M. 1947, for the codification and general revision of the laws relating to the deposit of state funds and the unified investment program for public funds as required by Article VIII, Section 13 of the 1972 Montana Constitution; and to repeal Sections 79-1201 through 79-1216, and Sections 81-1001 through 81-1003, R.C.M. 1947." .....	37, 69, 119, 120, 135, 158, 175, 176, 177, 182, 197, 276, 293, 312, 313, 366, 394, 725, 788, SA-825, 826, 935, 1009, 1028, S-74
19	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Sections 16-514, 75-5707, 75-6503, 75-6517, 75-6532, 75-6534, 75-6806, 75-6906 through 75-6908, 75-6915, 75-6916, 75-6927, and 75-8107, R.C.M. 1947; to eliminate the census of school age children; and to provide for the distribution of interest and income moneys through state equalization aid to comply with Article X, Section 5(1) of the 1972 Montana Constitution; and to repeal Sections 75-5708, 75-5810, 75-5936 through 75-5938, and 75-6909 through 75-6911, R.C.M. 1947." .....	37, 69, 136, 190, 202, 233, 666, 764, 798, 799, 834, 928
20	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 75-7303, R.C.M. 1947, to allow for the acceptance and distribution of moneys provided from federal sources for the express purpose of distribution to non-public education as provided for by Article X, Section 6(2) of the 1972 Montana Constitution." ....	37, 66, 73, 84, 86, 96, 278, 330, 336, 365, 420
21	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to create the State Board of Education, the Board of Regents of Higher	



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22	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 81-302, R.C.M. 1947, to provide for the manner in which land is to be classified in accordance with Article X, Section 11 of the 1972 Montana Constitution." .....	37, 67, 79, 86, 139, 149, 190, 192, 218
23	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to revise petition and election requirements for changing county boundaries and county seats in accordance with the provisions of Article XI, Section 2 of the 1972 Montana Constitution; amending Chapters 3, 4 and 5 of Title 16, R.C.M. 1947." .....	37, 61, 66, 84, 86, 97, 817, 830, 833, 852, 861, 921, 922, 948, S-15, 22, 23, 42, 158
24	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to implement Article XI, Section 3 of the 1972 Montana Constitution by providing for optional forms of county government; adding county attorney and clerk of the district court to the list of officers that may be consolidated; deleting the non-succession provision for county treasurer; providing that county officers may be elected or appointed; amending Sections 16-2403, 16-2406, 16-2412 and 16-3906, R.C.M. 1947; and repealing Sections 16-901 and 16-2407, R.C.M. 1947." .....	37, 38, 99, 111, 129, 136, 159, 906
25	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to allow the qualified electors or legislative bodies of any city or town in the state to adopt a strong mayor form of municipal government; creating a new section to be numbered 11-802.1, and partially implementing Article XI, Section 3 of the Montana Constitution of 1972." .....	38, 61, 66, 85, 86, 97, 949, 993, SA-1020, S-25, 35, 37, 42, 127

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26	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to amend Section 16-2501, R.C.M. 1947, deleting reference to the 1889 constitution and providing for consolidation of offices among counties; implementing Article XI, Section 3 of the 1972 Montana Constitution." .....	38, 99, 100, 141, 150, 151, 237, 238, 239, 347, 380, 431, 473, 474, 1059, S-11, 21, 73, 77, 99, 190
27	Introduced by Ainsworth and Gerke (by request): A bill for an act entitled: "An act to extend the powers of initiative and referendum to Montana counties; implementing Article XI, Section 8 of the Montana Constitution of 1972." .....	38, 62, 66, 69, 81, 86, 95, 99, 117, 118, 421, 684, 706, 766
28	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to comply with Article II, Section 28; Article IV, Sections 2 and 4; and Article XII, Section 3(2) of the 1972 Montana Constitution which provide that persons committed to institutions lose only rights necessary to the commitment and regain lost rights automatically; amending Section 23-2701, R.C.M. 1947, and repealing Sections 94-4720 through 94-4725, R.C.M. 1947." .....	38, 63, 73, 85, 98, 109, 667
29	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to create the Office of Consumer Counsel to comply with Article XIII, Section 2 of the 1972 Montana Constitution; and providing an immediate effective date." .....	38, 101, 102, 135, 174, 192, 218, 502, 511, SA-533, 684, 706, 766, 1035
30	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act to create the Montana Salary Commission, to comply with Article XIII, Section 3 of the 1972 Montana Constitution." ..	38, 61, 66, 77, 79, 83, 85, 502, 511, SA-533, 684, 706, 766, 1007
31	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act providing a code of ethics for state officers and employees to implement Article XIII, Section 4 of the 1972 Montana Constitution by amending Section 59-501, R.C.M. 1947; amending Section 82-1922, R.C.M. 1947, to delete provisions concerning conflicts of interest; and repealing Section 82-1144, R.C.M. 1947." .....	38, 89, 98, 117, 123, 147, 289, 314, 364, SA-388, 431, 485, 500

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32	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Sections 2 and 9 of the 1972 Montana Constitution concerning constitutional revision by providing two (2) forms of people's initiative petitions, time for filing petitions, and amending Section 37-109, R.C.M. 1947." .....	38, 81, 86, 95, 99, 118, 289, 364, 365, 390, 420
33	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Section 3 of the 1972 Montana Constitution, providing for the submission of the question of whether or not to hold a constitutional convention at least every twenty (20) years." .....	38, 81, 86, 91, 98, 109, 289, 364, 365, 390, 420
34	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Sections 8 and 9(3) concerning amendment by initiative of the 1972 Montana Constitution by providing a new effective date for constitutional amendments; amending Section 37-108, R.C.M. 1947." .....	39, 62, 66, 69, 70, 75, 78, 308, 390, 408, 420
35	Introduced by Lucas and Shelden (by request): A bill for an act entitled: "An act implementing Article XIV, Section 9(2) concerning amendment by initiative of the 1972 Montana Constitution by providing new timing for publication of proposed amendments to the constitution; amending Section 23-2802, R.C.M. 1947." .....	39, 63, 66, 69, 70, 75, 78, 182, 190, SA-201, 298, 348, 365, 420
36	Introduced by Watt: A bill for an act entitled: "An act providing for the replacement of property taxes on habitable property and certain personal property with a tax on total personal income; defining habitable property and providing for its separate listing; and providing for withholding." .....	39, 69, 138, 139, 191, 213, 220, 247, 248
37	Introduced by Bardanouve and Cox: A bill for an act entitled: "An act appropriating thirty-two thousand and three hundred twenty dollars (\$32,320) to the legislative council from the general fund for State of Montana dues to the council of state governments for the 1973-1975 biennium." .....	39, 287, 298, 320, 330, 355, 840, 935, 942, 1058
38	Introduced by Brand: A bill for an act entitled: "An	

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39	Introduced by Brand: A bill for an act entitled: "An act amending Section 53-438, R.C.M. 1947, to provide that motor vehicle insurance carriers cannot refuse any citizen with a valid Montana driver's license the right to purchase a Motor Vehicle Liability Policy." .....	39, 63
40	Introduced by Kosena: A bill for an act entitled: "An act to amend Section 89-3411, R.C.M. 1947, to provide for the inclusion of costs of preliminary and feasibility studies for water conservancy districts as costs of construction." .....	39, 66, 73, 77, 85, 86, 97, 208, 276, 315, 370
41	Introduced by Kosena: A bill for an act entitled: "An act to amend Section 89-3404, R.C.M. 1947, to require a petition signed by ten percent (10%) of the voters in a water conservancy district before a preliminary survey is initiated." .....	39, 88, 98, 106, 111, 131, 241, 315, 330, 370
42	Introduced by Prevost: A bill for an act entitled: "An act to amend Section 82-1919, R.C.M. 1947, to provide a definition for a 'public exigency.'" .....	39, 67
43	Introduced by Bardanouve: A bill for an act entitled: "An act appropriating money to the legislative services division of the legislative council for the lease and installation of bill status visual screens." .....	39, 40
44	Introduced by Brand: A bill for an act entitled: "An act to require walkways on both sides of railroad trestles and bridges." .....	40, 225, 298, 320, 366, 394
45	Introduced by Brand: A bill for an act entitled: "An act providing for increased penalties for criminal sale of dangerous drugs; and amending Section 54-132, R.C.M. 1947." .....	40, 81, 82
46	Introduced by Brand: A bill for an act entitled: "An act providing for increase penalties for littering and suspension of camping permit for conviction of littering; and amending Sections 94-3339 and 26-812, R.C.M. 1947." .....	40, 68, 69, 79, 91, 98, 109, 110, 817, 830, 833, 852, 860, 974, 975, 1010, 1034, 1050, S-17, 48, 54, 99, 108, 121



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48	Introduced by Gerke (by request): A bill for an act entitled: "An act adding the auditor to the State Board of Land Commissioners to implement Article X, Section 4, of the 1972 Montana Constitution: amending Sections 81-103 and 82-904, R.C.M. 1947." .....	40, 61, 66, 85, 110, 666, 706, 722, 766
49	Introduced by Bardanoue: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) to the legislative council in reimbursement for extraordinary expenses incurred in implementing the provisions of the Montana Constitution of 1972; and providing an effective date." .....	40, 286, 298, 320, 330, 355, 893, 931, SA-998, S-3, 14, 24, 127
50	Introduced by Swanberg and East: A bill for an act entitled: "An act to amend Section 10-501, R.C.M. 1947, to change the definition of a dependent or neglected child to include children up to and including the age of eighteen (18) years." .....	40, 67, 68, 79, 91, 98, 110, 1033, S-41, 62, 98, 158
51	Introduced by East and Cox: A bill for an act entitled: "An act for a new chapter in Title 10 to establish a youth services advisory council and to provide for its functions and duties." .....	40, 68, 75, 78, 79, 97
52	Introduced by Hodges, Norman, Kimble, Staigmillar and Tierney: A bill for an act entitled: "An act increasing income allowed retired married couples to qualify for Class 8 property tax classification: providing for the filing of the application for such classification in January and for the adjustment of prior taxes; and amending Section 84-301, R.C.M. 1947." .....	40, 69, 87, 98, 117, 136, 159, 160
53	Introduced by Lockrem, Kvaalen, Cox, Tierney, Hager and Lucas: A bill for an act entitled: "An act amending Section 75-6916, R.C.M. 1947, dedicating the state share of federal revenue sharing funds to the earmarked revenue fund for state equalization aid to public schools; providing an effective date." .....	40, 69, 112, 113
54	Introduced by R. Harper, Lucas, McKittrick, Fagg, Greely, Brown, Bradley, Fasbender, Norman, Gunderson, Regan, Lynch, Cox, Tierney, Menahan, Towe, Mehrens, Ellerd, Colberg, Fleming, Hager, Zimmer, Cotton, Kosena, Roberts, Stoltz, Clemow.	

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55	Introduced by Bardanoue, Fleming, Asbjornson, Jacobsen, Nichols: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." ..	41, 981, 982, 983, 984, 985, 986, 1027, S-8, 9, 10, 11, 12, 93, 106, 117, 118, 126, 128, 143, 158, 173, 181
56	Introduced by Bardanoue, Kosena, Glennen, Manuel: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." .....	41, 978, 979, 980, 1050, S-11, 13, 93, 106, SA-141, 158, 172, 173, 181
57	Introduced by Bardanoue, Laas, East, Holtz: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." .....	41, 972, 973, 974, 1007, 1037, 1049, S-93, 106, 117, 118, 129, 149, 150, 151, 172, 174, 181
58	Introduced by Lockrem, Hager: A bill for an act entitled: "An act pertaining to assessment of agricultural lands; providing for procedure, defining agricultural lands, establishing a penalty, and amending Section 84-401, R.C.M. 1947, to except agricultural land from the provision requiring land to be assessed at its full cash value." .....	41, 64, 192, 261, 282, 283, 293, 294, 299, 323
59	Introduced by Lockrem, Quilici. A bill for an act entitled: "An act providing that disability insurance policies and plans covering members of the insured's family as well as the insured shall grant immediate accident and sickness coverage, from and after the moment of birth, to each newborn infant	

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	of any insured; and amending Sections 40-4002, 40-4101 and 40-4102." .....	41, 73, 74, 79, 91, 98, 110, 690, 764, 765, 766, 801, 888
60	Introduced by Lynch, Lee, Mehrens, Glennen, Brown, Haines, Healy, Cox, Baucus, Kimble, Harper, Staig-miller, Bradley, Yardley, McKittrick, Kosena, Tierney, Ageson, Clemow, Kolstad, Nichols, Walborn Seifert, Shelden, Baeth, Roberts, Stephens, Stoltz, Driscoll, Menahan, Quilici, Lundgren, Fasbender, Lombardi, Flynn, Hodges, Colberg, Bennetts, Murphy, Laas, Zimmer, Johnston: A bill for an act entitled: "An act to render unenforceable all lien held by the State Department of Social and Rehabilitation Services permitted under Sections 71-241 through 71-250, R.C.M. 1947; and to repeal Sections 71-241 through 71-250, R.C.M., 1947, relating to the lien of the State Department of Social and Rehabilitation Services upon all real property of an applicant for public assistance and the enforcement of the lien." .....	54, 87, 88, 141, 169, 220, 246, 250, 273, 780, 935, 1009, 1028, S-74
61	Introduced by McKittrick, Menahan, Hodges, R. Harper, Mehrens, Quilici, Lucas: A bill for an act entitled: "An act to amend Section 33-124, R.C.M. 1947, relating to the value of land selected and claimed for homesteads." .....	54, 86, 98, 106, 111, 131, 949, 1007, 1028, 1030, S-2, 74
62	Introduced by Murphy, Lynch, Baucus, Lockrem, Galt Hageman: A bill for an act entitled: "An act prohibiting the taking of female deer except in certain cases as determined by the Fish and Game Commission." .....	54, 102, 103
63	Introduced by McKittrick, Menahan, Johnston, Hodges, R. Harper, Mehrens, Quilici, Clemow, Greely. A bill for an act entitled: "An act to amend Section 53-438, R.C.M., 1947, to provide for noncancellation of motor vehicle liability insurance and no increase in premium when the insured or the operator is not at fault." .....	56, 57, 132, 133, 190, 192, 218, 768, 788, 884, 885, 886, 896, 990
64	Introduced by Bardonou. A bill for an act entitled: "An act providing for continuity in the legislative council by extending the terms of council members into the next succeeding session until new members are appointed; amending 43-709, R.C.M., 1947; and providing an effective date." .....	56, 57, 80, 86, 95, 99, 107, 118, 840

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65	Introduced by McKittrick, Kosena (by request): A bill for an act entitled: "An act to amend Section 89-115, R.C.M., 1947, to grant specific authority to the Board of Natural Resources and Conservation to provide for the disposal of water projects; and to include a waiver of liability from suit on behalf of the state." .....	59, 88, 89, 98, 117, 123, 147, 524, 537, SA-561, 685, 706, 711, 723, 766, 890, 919, 922, 935, 992, 1025, 1032, S-92, 98, 108, 190
66	Introduced by Haines, Halvorson, Ainsworth, Mercer. A bill for an act entitled: "An act providing for the definition and punishment of shoplifting; and detention and interrogation of persons suspected of shoplifting with reasonable cause." .....	59, 205, 298, 320, 330, 355
67	Introduced by R. Harper, Towe, McKittrick, Roberts, Regan, Hodges, Gunderson, Baucus, Driscoll, Bradley, Huennekens, Bennetts, Kimble, Johnston, Holmes, Colberg, Fleming, Staigmiller, Hall, Greely, Lien, Fasbender, Swanberg, Hageman, Cotton, Edland, Jacobsen, Bardanouve. A bill for an act entitled: "An act to be known as the 'Metcalf Act' to establish an independent agency to be known as the office of Utility Consumers' Council to represent the consumers of the state before federal and state regulatory agencies with respect to matters pertaining to certain utilities; to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the state and consumers; providing for the funding of such office; and providing an effective date." .....	59, 485, 561
68	Introduced by Bradley, Turman, Lee, Quilici, Bennetts, Kimble, Tierney, R. Harper, Lynch, Baeth, Lombardi, Stoltz, Stephens, Haines, McKittrick, Marbut, Regan, Baucus, Towe, Holmes, Colberg, Huennekens, Healy, Castles, Halvorson, Forsgren. A bill for an act entitled: "An act to authorize the creation of funds to promote, establish and maintain day care centers and homes, and providing for a special levy." .....	59, 87, 113, 117, 129, 135, 160, 928, 993, SA-1021, S-25, 36, 37, 61, 138
69	Introduced by Brand, Kessner, Flynn, Gunderson. A bill for an act entitled: "An act to amend Section 59-1001, R.C.M., 1947, to provide for eligibility for annual vacation benefits after a period of ninety (90) days of continuous employment and to provide that it shall be unlawful for an employer to	



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	terminate or separate an employee from his employment in an attempt to circumvent the provisions of this law." .....	59, 121, 125, 196, 261, 282, 330, 356, 949, 993, SA-1021, S-24, 36, 37, 42, 127
70	Introduced by Brand: A bill for an act entitled: "An act providing for interstate parole and probation hearing procedures, requiring notice, assistance of counsel, confrontation of witnesses under certain conditions, a hearing record, and authorizing out-of-state hearings." .....	65, 89, 98, 106, 111, 131, 709, 764, 765, 766, 801, 888
71	Introduced by Lockrem, Schye, Laas: A bill for an act entitled: "An act to provide that architectural firms, builders, contractors or manufacturers licensed by a state agency are exempt from paying the county license tax; amending Section 84-3207, R.C.M., 1947." .....	65, 72, 122
72	Introduced by Holtz, Gunderson, Aageson, Kolstad, Jacobsen, Hageman: A bill for an act entitled: "An act to provide for the licensing and bonding of merchandisers of grain; and repealing section 3-228, R.C.M., 1947." .....	65, 81, 86, 96, 111, 131, 132, 226, 232, SA-247, 364, 365, 390, 420
73	Introduced by Bradley, Towe, Murphy, Regan, Colberg, H. Harper, Norman, Huennekens, R. Harper: A bill for an act entitled: "An act prohibiting certain utilities from using promotional advertising; providing for enforcement; providing an effective date." .....	65, 106, 153, 170
74	Introduced by Kendall, Glennen, Turman, Haines, Kosena, Halvorson: A bill for an act entitled: "An act amending Section 16-1719, R.C.M., 1947, to require weed control on municipal streets and property." .....	65, 81, 86, 96, 99, 118, 119, 666, 706, 722, 766
75	Introduced by Greely, Bardanouve, Aageson, Bradley, Tierney: A bill for an act entitled: "An act to amend Section 93-2002, R.C.M. 1947, to delete the diploma privilege and thereby require all applicants for admission as an attorney or counselor to undergo a bar examination." .....	65, 79, 96, 106, 111, 132, 667
76	Introduced by Colberg, Marbut, Huennekens, Holmes, Regan, Towe, Fagg, Baucus, Driscoll, Turman, Seifert, Murphy, Stoltz, Fleming, Brown, Staigmiller,	

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	Bradley, R. Harper, Roberts: A bill for an act entitled: "An act to require a refund value on every beverage container sold or offered for sale in this state, to require dealers and distributors to accept empty beverage containers, to prohibit certain metal containers, to certify certain containers, to provide for the establishment of container redemption centers, and to provide a penalty for the violation of the provisions of this act." .....	70, 136, 180, 191, 192
77	Introduced by Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Education, and providing that this act is effective upon its passage and approval." .....	70, 926
78	Introduced by Fagg, Huennekens, Hager, Galt, Rolfe, Mercer, Barrett, Staigmiller, Holmes, Stephens, Regan, Tierney, Bennetts, Aageson, Holtz, Greely, Brand, Marbut, Colberg, Seifert, H. Harper, Norman, Baucus, Johnston, Forsgren, Kendall, Driscoll, Turman, Laas, Halvorson, Hageman, Kolstad, Towe, Lockrem, Cox, Gerke, Lund, Fasbender, Swanberg, Prevost, R. Harper, McKittrick, Smith, Watt, Shelden, Menahan, Lynch, Clemow, Murphy, Glennen, Hall, Yardley, Warfield, Ellerd, Healy, Kosen, Baeth, Kimble, Bradley: A bill for an act entitled: "An act amending Section 26-202.1 and Section 26-202.6, R.C.M. 1947, relating to fees for resident and nonresident fishing licenses: providing an effective date." .....	75, 103, 107, 111, 124, 178, 200, 261, 284, 839, 880, 883, 895, 904, 988, 989, 1011, S-15, 22, 23, 42, 158
79	Introduced by Prevost, Lien, Fagg, Schepens, Staigmiller, Olson, Lund, Cotton, Holtz, Manuel, Edland, Jacobsen, Brand, Bardanouve, Haines, Laas, Glennen, Swanberg, Kvaalen, Fleming: A bill for an act entitled: "An act to amend Section 66-2426, R.C.M. 1947, to provide for an exemption for water conditioner installers from regulation under the Board of Plumbing Examiners." .....	75
80	Introduced by Fagg, Gunderson, Lee, Cox: A bill for an act entitled: "An act amending Section 75-5933, R.C.M. 1947; providing that 'duties of trustees' may require immunizations as a prerequisite for school entrance." .....	75, 112, 135, 158, 178, 200, 201, 666, 706, 722, 766
81	Introduced by Zimmer, Lundgren, Halvorson, Haines: A bill for an act entitled: "An act to limit liability to gross negligence or willful misconduct in an action for property damage arising from a collision	

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	upon a public highway between a motor vehicle and livestock." .....	75, 149, 165, 190, 192, 214, 215, 690
82	Introduced by Hager, Murphy, Tierney, Bennetts: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, lowering the age requirements for pioneer fishing and hunting licenses, from age 65 to 62." .....	75, 103, 124, 135, 159, 192, 215, 780, 799, 818, 833, 894, 935, 942, 1058
83	Introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-402, R.C.M. 1947, the definition of barbering, to include styling, arranging and coloring of hair." .....	75, 99, 111, 129, 136, 354, 389, 428, 462, 474, 817
84	Introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-411, R.C.M. 1947, to increase the fees for the issuance and renewal of certificate of registration to practice barbering; and increase the annual license fee for barbershops." .....	75, 99, 111, 129, 136, 160, 839, 880, SA-914-915, 976, 1028, 1030, S-3, 74
85	Introduced by Lockrem, Swanberg, Lombardi: A bill for an act entitled: "An act to amend Section 66-408, R.C.M. 1947, to increase the rate of compensation of members of the Board of Barbers from twenty-five dollars (\$25) to thirty dollars (\$30) per day." .....	75, 83, 99, 111, 129, 136, 160, 161, 862, 918, SA-960, 1027, 1028, 1030, S-3, 74
86	Introduced by Lucas, Laas, Hubing, Tierney, Cox, Fagg, Bell, Greely, Ulmer, Fleming, Mercer, Lund, Kosena, Lockrem, Johnston, Warfield: A bill for an act entitled: "An act relating to "habitual traffic offenders" providing for a system of conviction points leading to revocation of driving privileges; providing for hearings, penalties and appeal procedures; and providing an effective date of January 1, 1974." .....	76, 162, 163, 202, 232, 237, 259
87	Introduced by Lucas, Swanberg, Lundgren, Tierney, Driscoll, Warfield, Rolfe, Quilici, Lynch, Mercer, Kosena: A bill for an act entitled: "An act providing for a driver rehabilitation program under the attorney general; providing for a driver rehabilitation advisory council; and providing for procedures	

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	to contribute toward improving drivers' driving attitudes, habits and techniques." .....	76, 163, 164, 165
88	Introduced by Towe, Swanberg, Tierney, H. Harper, Bradley, Turman, Johnston, Stoltz, Huennekens, Stephens, Murphy, McKittrick, Manuel, Fleming, Norman, Schepens, Bennetts, Watt, Marbut, Roberts, Shelden, Fagg, Regan, R. Harper, Kimble, Holmes, Baucus, Colberg: A bill for an act entitled: "An act to be known as "The Montana Environmental Protection Act," a right of action to protect the natural resources of the state and to insure enforcement of regulations to protect the natural environment." .....	76
89	Introduced by Norman, Olson: A bill for an act entitled: "An act to amend Section 69-5104, R.C.M. 1947, to require that a written report of all autopsies of a human body be sent to the physician attending the person at the time of death and to the hospital where the person died in addition to other recipients as presently provided by law." .....	76, 123, 135, 174, 175, 202, 232, 233, 689, 727, SA-773, 834, 854, 855, 884, 946
90	Introduced by Lynch, Baucus, Murphy, Colberg: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, by raising the nonresident big game license fee to five hundred dollars (\$500)." .....	83, 204
91	Introduced by Bardanouve, Cotton: A bill for an act entitled: "An act to amend Section 89-1804, R.C.M. 1947, to remove the maximum limit on levies made for irrigation district administration, maintenance and repairs." .....	83, 149, 178, 200, 202, 233, 377, 408, 485, 569
92	Introduced by R. Harper: A bill for an act entitled: "An act authorizing a board of county commissioners to levy an ad valorem tax not exceeding two (2) mills for the purpose of funding a park or recreational program; amending Sections 16-4802 and 16-4803, R.C.M. 1947; and creating a new Section to be numbered 16-4802.1." .....	83, 193
93	Introduced by Swanberg, Driscoll, Warfield, Glennen, Shelden, McKittrick, Ulmer, Tierney: A bill for an act entitled: "An act to add new sections to Chapter 40, Title 69, R.C.M. 1947; providing for additional powers in the Department of Health and Environmental Sciences to set compliance dates and issue orders; validating prior action and orders of the department; providing jurisdiction in the district court to enforce orders of the department, providing for injunction action for continuing violations of the act, regulations of the board and	



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	orders of the department; providing for civil penalty remedy; and providing for severability clause." .....	83, 305, 347, 380, 408, 452, 862
94	Introduced by R. Harper (by request): A bill for an act entitled: "An act requiring the use of safety glazing materials in hazardous locations in residential, industrial, commercial, and public buildings." .....	83, 123, 135, 159, 178, 201, 476, 477, 889, 930, 931
95	Introduced by Tierney, Kolstad, Swanberg, Edland, Driscoll, Aageson, Murphy, Laas, Colberg, R. Harper, McKittrick, Kimble, Bradley, Bardanouve, Baucus, Lynch, Towe: A bill for an act entitled: "An act amending Section 85-302, R.C.M. 1947, providing for the physical segregation of imitation Indian articles from authentic Indian articles." .....	83, 135, 165, 190, 192, 217, 218, 361, 429, 430, 485, 569
96	Introduced by Edland, Prevost, Gunderson, Murphy, R. Harper, Jacobsen, Lien, Fleming, Stephens, Seifert, Lund, Hageman, Manuel: A bill for an act entitled: "An act providing for exemption from property taxation for all perishable agricultural products in storage; amending Section 84-301, R.C.M. 1947." .....	83, 84, 193, 194, 315, 339, 340, 363, 408, 452, 453, 893, 931, SA-961, S-15, 22, 23, 42, 127
97	Introduced by Fasbender, Bardanouve, Ulmer, Watt, Nichols, Gerke: A bill for an act entitled: "An act to create the Resource Indemnity Trust Account in the Trust and Legacy Fund and to provide for the funding of the account by imposing a tax on the gross value of product of all nonrenewable resource extracting industries." .....	84, 763, 790, 889, 924, 953, S-93, 106, SA-119, 155, 164
98	Introduced by Lockrem: A bill for an act entitled: "An act to amend Section 66-409, R.C.M. 1947, to extend the jurisdictional boundaries from three (3) miles outside the city limits of a town to seven (7) miles for the purpose of establishing minimum prices for barber work." .....	84, 134
99	Introduced by Ulmer: A bill for an act entitled: "An act to amend Sections 40-4413 and 40-4414, R.C.M. 1947, to include nursing home administrators and long-term care facilities." .....	84, 134, 135, 159, 192, 215, 929, 966, 1009, 1028, S-74

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100	Introduced by Lynch, Lee, Lombardi, Healy, Mehrens, R. Harper, Quilici, Lund, Turman, Olson, Bardanouve: A bill for an act entitled: "An act providing for a reduction from two (2) years to six (6) months for operators of motor vehicles to be free from epileptic seizure in order to be licensed; amending Section 31-127, R.C.M. 1947." .....	84, 181, 202, 232, 237, 259, 667, 779, 849, 850, 886, 896, 897, 924, 990
101	Introduced by Bardanouve, Bennetts: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, to replace Columbus Day, the second Monday in October, with the fourth Friday in November as a legal holiday." .....	90, 121, 135, 159, 202, 233, 234, 840
102	Introduced by Brand: A bill for an act entitled: "An act extending the jurisdiction of the state prison and amending Section 94-4203, R.C.M. 1947." .....	90, 107, 111, 129, 136, 161, 667
103	Introduced by Swanberg, Edland, Staigmler: A bill for an act entitled: "An act amending Section 69-6013, R.C.M. 1947, relating to the duty of County Attorneys with respect to refuse disposal districts and boards; providing an exception to the duty of County Attorney to defend suits; providing for employment of counsel by a Refuse Control District or Board in certain cases." .....	90, 111, 112, 123, 146, 149, 176, 666, 722, 723, 924, 990
104	Introduced by Baucus, Lombardi, Hodges, Staigmler, East, Ellerd and McKittrick (by request): A bill for an act entitled: "An act to amend Section 87-148, R.C.M. 1947, providing for additional definitions of base period and benefit year, amendments to conform with reorganization as provided in Title 82A, Chapter 10, R.C.M. 1947; amendments to clarify employer coverage; and deletion of language no longer applicable." .....	90, 206, 220, 246, 250, 273, 274, 768, 848, 854, 855, 884, 946
105	Introduced by Cox, Stephens, Haines, Lynch, Baeth, Laas, McKittrick, Rolfe, Barrett, Olson, Smith, Lee, Hager, Walborn, Nichols, Schye, Schepens, Mehrens, Glennen, Galt, Lund, Quilici, Clemow, Seifert, Ainsworth, Hodges, Staigmler, Lucas, Warfield, Forsgren, Mercer, Marks, East, Hubing, R. Harper, Gunderson, Jacobsen, Fagg, Ulmer, Kvaalen, Fleming, Kosena, and Selstad: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official dates of the Veterans' and Memorial Day holidays." .....	90, 121, 122, 135, 159, 174, 192, 217, 894, 1000, 1028, 1030, S-3, 74, 86

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106	Introduced by Stephens, Gunderson, Cox, Selstad, Staigmilller, Kessner, Kolstad, Johnston, Stoltz, Manuel, Jacobsen, Lien, Holtz, Brand, Fleming, Hageman, Fasbender, Gerke, Bardanouve and Laas: A bill for an act entitled: "An act repealing Section 3-2920, R.C.M. 1947, which provided for the 'Montana Wheat Research and Marketing Act' to be in effect for seven (7) years from August 20, 1967". .....	90, 196, 202, 232, 237, 260, 377, 429, 430, 485, 569
107	Introduced by Lynch, Hall and Mehrens: A bill for an act entitled: "An act amending Section 11-1821, R.C.M. 1947, to base policemen's retirement pay on their last month's salary rather than the last year's salary." .....	90, 137, 138, 178, 200, 202, 234, 725, 788, 800, 833, 838, 936, 937, S-4, 25, 36, 37, 61, 138
108	Introduced by Fasbender, Lucas, Hall, Greely, Fagg, Turman, Bardanouve, Staigmilller, Gunderson, Hodges, Kessner and Tierney: A bill for an act entitled: "An act to amend the statutes relating to the creation and operation of drainage districts in the State of Montana, and their adaptation to flood control projects, as contained in Sections 89-2201 through 89-2825, R.C.M. 1947, so as to provide that when benefits of such projects are received by improvements to land, or facilities or structures placed on or in land, the benefits so received may be subject to assessment for district costs of the project; amending Section 89-2330 to include improvements, facilities and structures as subject to assessment and clarifying the inclusion of public utilities in the payment of assessments; amending Sections 89-2332, 89-2333, 89-2334, 89-2337, 89-2338, 89-2405, and 89-2410, R.C.M. 1947, so as to include improvements and providing an effective date." .....	90, 252, 261, 282, 283, 284, 315, 341, 929, 993, SA-1021, S-25, 61, 62, 98, 158
109	Introduced by Gunderson, Regan and Cox: A bill for an act entitled: "An act providing for the development of teacher evaluation procedures and relating to the termination of services of nontenure teachers." .....	92, 522, 564, 610, 625, 629, 630, 1011
110	Introduced by Quilici, Flynn, Mehrens, Lombardi, Lee, Menahan, Lundgren, Ainsworth, Lockrem, Kvaalen, Seifert, Driscoll, Johnston, Stephens, Manuel, Lynch,	

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	Kosena, Stoltz, Murphy, Shelden, Baeth, Healy, Brand, Yardley, Hall, Fasbender, Harper, Fleming, Gunderson, Bradley, Swanberg, Cotton, Colberg, Holmes, McKittrick, Bennetts, Norman, Gerke, Laas, Aageson, Cox, Lucas: A bill for an act entitled: "An act to provide that a plaintiff in an open pit mining eminent domain action must agree to purchase all property within three hundred (300) yards of the condemned tract; providing further that the cost of replacement shall be considered in determining value of buildings owned by the city, county, or state; amending Sections 50-813, 50-815 and 50-816, R.C.M. 1947." .....	93, 205, 220, 246, 250, 274, 817, 830, SA-846, 1000, 1008, 1009, 1028, S-74
111	Introduced by Lockrem and Swanberg: A bill for an act entitled: "An act to amend Section 66-403, R.C.M. 1947, to provide for additional schooling for an apprentice barber after having failed to pass the examination for a barber's certificate; and to require a ninety (90) day residence period prior to the issuance of a barber's certificate." .....	93, 99, 111, 129, 141, 205, 276, 294, 299, 323, 324, 651
112	Introduced by Swanberg, Tierney, Halvorson, Gunderson, Schye, Fasbender, McKittrick, Greely, Bell, Towe, Harper, Lucas, Staigmiller, and Hodges: A bill for an act entitled: "An act providing for the licensing and regulation of motor vehicle wrecking facilities; controlling junk vehicles in nonwrecking yard locations; the establishment of motor vehicle graveyard facilities, and related matters thereto; and the establishment of an effective date." .....	93, 153, 202, 246, 299, 324, 949, 993, SA-1022, S-15, 22, 23, 42, 158
113	Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 81-2404, R.C.M. 1947, to permit transfer of funds among state land income accounts for the purposes of defraying the costs of developing the lands." .....	93, 121, 123, 146, 149, 176, 666, 722, 723, 924, 990
114	Introduced by Cox, Glennen, Mercer, Hager, Fagg, Galt, Schye, Lockrem, Forsgren, Regan, Holmes, Colberg, Huennekens, Towe, Lund, Warfield and Gerke: A bill for an act entitled: "An act amending Section 75-7103, R.C.M. 1947, to allow a combination of school buildings, or more than one school bus, to be considered a single purpose requiring only a single school bond election ballot; and providing an effective date." .....	93, 136, 149, 175, 192, 215, 216, 709, 764, 765, 766, 801, 888



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115	Introduced by Lombardi, McKittrick (by request). East, Staigmler, Hodges, Baucus and Ellerd: A bill for an act entitled: "An act to amend Section 87-110, R.C.M. 1947, providing period of coverage and election for coverage by exempt employers and political subdivisions; amendments to conform with reorganization as provided in Title 82A, Chapter 10, R.C.M. 1947; and deletion of language no longer applicable." .....	93, 206, 220, 246, 250, 274, 768, 884, 885, 886, 896, 990
116	Introduced by Lockrem and Kosena: A bill for an act entitled: "An act to amend Section 25-508, R.C.M. 1947, to provide for expenses for county treasurers when attending a general association meeting." .....	93, 123, 135, 174, 192, 216, 666, 722, 723, 924, 990
117	Introduced by Tierney and Fagg: A bill for an act entitled: "An act amending Section 26-1101, R.C.M. 1947, providing that the fish and game director may not issue permits to trap fur-bearing animals or destroy predatory animals within the limits of certain game preserves within Montana." .....	93, 180
118	Introduced by Kendall, Turman, Kimble and Lundgren: A bill for an act entitled: "An act providing for collection of service charges by cities and towns operating a municipal sewer or water system; giving of notice to owners of real estate of delinquency in payment of service charges; and certification to the county assessor or real estate upon which service charges remain unpaid; and adding a new Section 84-7426.1, R.C.M. 1947." .....	93, 94, 152, 202, 232, 299, 324, 991, 1037, SA-1043, S- 41, 62, 98, 158
119	Introduced by Bell, Bardanouve, Kolstad, McKittrick, Marks, Hubing, Yardley, Swanberg: A bill for an act entitled: "An act to provide for uniform taxation of retirement income, exempting all retirement income of three thousand six hundred dollars (\$3,600) or less from state income tax; amending Sections 84-4905, 31-221, 68-1303, 68-1420, 75-6215 and 93-1126, R.C.M. 1947; and providing an effective date." .....	94, 252, 261, 282, 348, 382, 840
120	Introduced by Lynch, Lee, Quilici, Stephens: A bill for an act entitled: "An act to repeal Sections 71-233 through 71-240, R.C.M. 1947, relating to the liability for contribution to the support of an applicant for public welfare assistance by the applicant's relatives." .....	94, 140
121	Introduced by Towe, Bradley, R. Harper, H. Harper, Murphy, Norman, Johnston, Turman, Holmes, Brand,	

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	Driscoll, Huennekens, Hall and Bardanouve: A bill for an act entitled: "An act to amend Section 70-106, R.C.M. 1947, to require the public service commission to use the original cost of utility property as a base for fixing rates." .....	94, 393, 408, 460, 461, 518, 557, 817
122	Introduced by Towe, Bradley, R. Harper, H. Harper, Murphy, Norman, Johnston, Turman, Holmes, Regan, Brand, Driscoll, Huennekens, Bardanouve and Hall: A bill for an act entitled: "An act to provide that the value assigned to public utility property by the Public Service Commission be used for assessment purposes, amending Section 84-101, R.C.M. 1947." .....	94, 390, 408, 461, 511, 528, 817
123	Introduced by Ulmer, Cotton, Cox, Lucas, Warfield, Yardley, Lynch, Sheldon, Kendall, Jacobsen, Zimmer, Brand, Forsgren, Barrett and Murphy: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high schools; amending Section 75-6905, R.C.M. 1947; and providing an effective date." .....	94, 502, 538, 562, 587, 588, 589, 590, 591, 660, 691, S-171
124	Introduced by Cotton, Halvorson, Hubing, Stoltz, Stephens, Schepens: A bill for an act entitled: "An act to forbid the use of national school bus glossy yellow as a color for school buses which have been converted to other uses." .....	94, 263
125	Introduced by Warfield, Swanberg, Fasbender, Fagg, Cox, Greely, Regan, Lee, Menahan, McKittrick, Gunderson, Gerke, Cotton, Yardley, Forsgren, Lynch, Healy, Brown, Haines, Holmes, Prevost, Murphy, Mehrens, Driscoll, Brand, Schepens, H. Harper, Towe, Quilici, Tierney, Kessner, Bradley, Bennetts, Watt, Baucus, Hager, Roberts, Lombardi, Olson, Colberg, Norman, Baeth, Hodges, Kimble, Sheldon, R. Harper, Turman, Barrett, Staigmiller, Huennekens: A bill for an act entitled: "An act to authorize elementary district trustees to establish as part of the elementary school a program for five-year-olds; to provide that the program be funded through the foundation program; to provide a funding base for the first year of the program and amending Sections 75-6902, 75-6903, 75-6917, and 75-7507, R.C.M. 1947." .....	94, 304, 366, 398, 431, 474, 949, 1050, 1051, S-13, 127
126	Introduced by Kvaalen, Fagg, Johnston, Schepens, Marks, McKittrick, Staigmiller: A bill for an act entitled: "An act amending Section 26-301, R.C.M.	

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	1947, to forbid hunters to drive their vehicles off established roads or trails, except to remove a slain animal." .....	94, 95, 204, 276, 294, 299, 324, 325, 839, 880, SA-915, 966, 1008, 1009, 1028, S-74
127	Introduced by Bardonouve, Gerke, Fagg, Norman, Regan, Baucus, Hall, Colberg, Tierney, Fashbender, Turman, Schepens, Menahan, Fleming, Bradley, Greely, Towe, R. Harper, Swanberg, Kosen, Gunderson, Stephens, Ainsworth, Quilici, Holmes, Driscoll, Shelden, Johnston, Edland, H. Harper, Haines, McKittrick: A bill for an act entitled: "An act to vest in the Department of Natural Resources and Conservation the authority to require and review long-range planning by certain utilities, to give approval to energy generation and conversion place sites and associated facilities, to require preconstruction certification in such facilities; providing penalties for violation of this act; and providing an effective date." .....	95, 538, 539, 540, 541, 542, 593, 611, 639, 660, 668, 681, 725, 893, 931, SA-962, S-24, 42, 61, 74
128	Introduced by Yardley: A bill for an act entitled: "An act to amend the Dangerous Drug Act, by adopting substantially the definitions, procedures, standards and schedules and the regulatory provisions of the Uniform Controlled Substances Act as recommended by the National Conference of Commissioners of Uniform State Laws; by excluding from such schedules non-narcotic drugs which may be lawfully sold over the counter without a prescription; by repealing Sections 54-129, 54-131, and 66-1504.1, R.C.M. 1947; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith." .....	104, 302, 303, 366, 398, 428, 518, 557, 1011, 1037, SA-1045, S-41, 61, 62, 98, 158
129	Introduced by Cox, Fagg, Mercer, Hager, Greely, McKittrick, Swanberg, Hall, Olson, Lucas: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M. 1947, to increase annual salary of court reporters." .....	104, 141, 165, 190, 192, 217, 689, 727, 789, SA-826, 884, 885, 886, 896, 990
130	Introduced by Zimmer, Marks: A bill for an act en-	

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	titled: "An act amending Section 82-1208, R.C.M. 1947, relating to appointment of acting fire marshals, special deputy fire marshals and fire marshal's employees." .....	104, 140, 149, 175, 192, 216, 726, 764, 397, 924, 990
131	Introduced by Lynch, Lee, Quilici, Lombardi, R. Harper, Healy, Mehrens, Kosena, Menahan, Baeth, Sheldon, Lucas, McKittrick, Cox: A bill for an act entitled: "An act providing for an increase in silicosis benefits' payments as administered by the Division of Workmen's Compensation; amending Sections 71-1003, 71-1004 and 71-1008, R.C.M. 1947." .....	104, 459, 484, 534, 537, 593, 602, 893, 931, 934, 936, 991, 1003, 1033, 1050, S-44, 86, 98, 104, 108, 109, 128, 147, 155
132	Introduced by Edland, Prevost, Murphy, Norman, Kolstad, Kimble, Jacobsen, Gunderson, Fleming, Schye, Lund: A bill for an act entitled: "An act to control corporate farming; providing for administration and enforcement by the Secretary of State and Attorney General; to be known as the 'Montana Family Farm Act of 1973'." .....	104, 553, 554, 555, 614, 639, 640, 659, 669
133	Introduced by Fagg, Warfield, Yardley, Forsgren, Regan, Lucas, Colberg, Baucus, Turman, Holmes, Bradley, McKittrick, Johnston, Stoltz, Lundgren, H. Harper, Glennen, Mercer, Castles, Norman, Bennetts, Halvorson, Kimble, Holtz, Murphy, Swanberg, Cox, Huennekens, Sheldon, Fleming, Bardanouve, Fasbender, Ainsworth, Hageman, Hager, Brown, Towe, Watt: A bill for an act entitled: "An act to establish a statewide system for designation and management of wild, scenic and recreational waterways." .....	104, 513, 514, 515, 516, 517, 570, 611, 612, 623, 624, 641, 669, 684, 690, 691, 700, 705, S-187, 188
134	Introduced by Greely, Tierney, Swanberg, R. Harper, Stephens, McKittrick: A bill for an act entitled: "An act to amend Section 15-2014, R.C.M. 1947, to allow compensation to broker-dealer for certain exempt transactions." .....	104, 105, 178, 191, 214, 220, 248, 690, 722, 723, 924, 990
135	Introduced by Kendall, Turman: A bill for an act entitled: "An act authorizing cities and towns to hold elections on the issuance of general obligation bond issue without there first having been filed a petition calling such election; authorizing the issu-	



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	ance of revenue bonds without an election; amending Sections 11-2301, 11-2306 and 11-2404, R.C.M. 1947; and repealing Section 11-2307, R.C.M. 1947."	105, 152, 178, 200, 202, 234, 767, 775, 906, 932, 934, 936, 991, 1005, 1032, S-25, 36, 37, 42, 158
136	Introduced by Kendall, Turman: A bill for an act entitled: "An act to amend Sections 16-2021 and 16-2301, R.C.M. 1947, by authorizing counties to hold elections on the issuance of general obligation bond issues without there first having been filed a petition calling such election and authorizing the issuance of revenue bonds without an election." .....	105, 152, 178, 200, 202, 239, 286, 313, 348, 408, 453, 767
137	Introduced by Hodges (by request): A bill for an act entitled: "An act to provide for voluntary euthanasia for certain individuals with terminal illnesses subject to the attending physicians determination that the individual has voluntarily requested euthanasia; and providing penalties for violation of the act." .....	105, 225
138	Introduced by Glennen, Cox, Mercer, Hager: A bill for an act entitled: "An act amending Section 11-1803, R.C.M. 1947, increasing the probationary period served by newly appointed policemen from six (6) months to one (1) year." .....	105, 152, 191, 214, 220, 248, 768, 834, 854, 855, 884, 946
139	Introduced by Greely, Swanberg, Fasbender, Holtz, McKittrick, Staigmilller, Hall: A bill for an act entitled: "An act to amend Section 11-3207, R.C.M. 1947, to provide for a method of selection of commissioners under commission-manager plan." .....	105, 152, 165, 200, 202, 234, 235, 768, 834, 854, 855, 884, 946
140	Introduced by Brand, Lund: A bill for an act entitled: "An act providing for permits for disinterments of dead bodies and for administration by the Department of Health and Environmental Sciences." .....	105, 140, 149, 175, 192, 216, 1033, S-134, 142
141	Introduced by Jones, Brown, Turner, Aageson, Barrett, Smith, Kolstad, Burnett, Lundgren, Holtz, Clemow, Schye, Walborn, Lynch, Laas, Murphy, Campbell: A bill for an act entitled: "An act to require county assessors to remove from the list of taxpayers holding property as joint tenants the name of a deceased joint tenant upon due proof of death; providing an effective date." .....	105, 763

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142	Introduced by Fasbender: A bill for an act entitled: "An act to amend Section 75-5903, R.C.M. 1947, to restore the provisions for additional trustees for a third class high school district as they existed prior to the 1971 codification and general revision of Title 75." .....	105, 137, 149, 175, 192, 217, 767, 789, SA-826, 844, 880, 883, 895, 904, 937, 938, 948, 1027, 1029, 1030, S-3, 74
143	Introduced by R. Harper, Towe, Brand, Lombardi, Lucas, Cox, Gunderson, Mehrens, Glennen: A bill for an act entitled: "An act directing county commissioners to fix salaries of certain county officers annually according to statutory schedules; repealing Section 25-609, R.C.M. 1947; and providing an effective date." .....	115, 195, 237, 258, 299, 325, 862, 918, SA- 960, 1007, 1028, 1030, S-3, 74
144	Introduced by Lynch, Cox, Quilici, Lee, Mehrens, Glennen, Haines, Marbut, Greely, Healy, R. Harper, Baucus, McKittrick, Lombardi, Menahan: A bill for an act entitled: "An act relating to the work week of deputy sheriffs of first class and second class counties." .....	115, 179, 191, 214, 237, 259, 260, 767, 789, 831, 833, 852, 860, 893, 930, 940, 1008, 1009, 1029, S-74
145	Introduced by Baucus, Lombardi, Hodges, Staigmilller, McKittrick (by request): A bill for an act entitled: "An act to amend Section 87-107, R.C.M. 1947, clarifying the determination process for labor disputes; eliminating the withholding of benefits during the appeal period; providing for a finality of determination; eliminating the option of a three (3) member appeal board and retaining a single member appeal tribunal; providing for promptness of the payment of benefits; providing for the transmittal of appealed decisions to the Board of Labor Appeals; providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947; and correcting language." .....	115, 205, 347, 380, 408, 453, 817, 830, SA-864, 935, 942, 1058
146	Introduced by Hageman, Zimmer, Burnett, Fagg, Galt, Cotton, Staigmilller, Murphy, Bennetts, Bradley, Baucus, Gunderson, Marks: A bill for an act en-	

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	titled: "An act requiring each camper to be registered and to display identifying number and decal charging each camper owner a one dollar (\$1) fee for registration of each camper; amending Section 84-406, R.C.M. 1947; and providing an effective date." .....	115, 520, 550, 570, 610, 641, 669, 670, 1059, S-11, SA-21, 60, 61, 62, 98, 158
147	Introduced by Norman, Ulmer: A bill for an act entitled: "An act to be known as the 'Realty Transfer Act'." .....	115, 192, 237, 258, 261, 284, 290, 295, 296, 366
148	Introduced by Hager (by request): A bill for an act entitled: "An act to repeal Sections 3-2201, 3-2201.1, 3-2202, 3-2203, 3-2204, 3-2205, 3-2207, 3-2209, 3-2210, 3-2211, and 3-2212, R.C.M. 1947, relating to poultry improvement." .....	115, 277, 366, 398, 408, 453, 454, 726, 776, 798, 799, 834, 928
149	Introduced by R. Harper, H. Harper, Tierney, Holmes Towe, McKittrick, Regan, Turman: A bill for an act entitled: "An act requiring counties to purchase liability insurance for sheriffs and sheriffs' departments." .....	115, 437, 463, 509, 518, 557, 906, 932, 934, 936, 992, 1026, S-134, 142
150	Introduced by Staigmilller (by request), Lien, Johnston, Stephens: A bill for an act entitled: "An act to provide for a special license classification and fee for the hunting, shooting and taking of mountain lion; amending Section 26-202.1, R.C.M. 1947." .....	115, 180, 191, 214, 220, 248, 726, 790, 798, 799, 834, 928
151	Introduced by Staigmilller (by request), Lien, Norman Johnston, Stephens: A bill for an act entitled: "An act to provide for the exception of mountain lion from the species of game animals as to which the removal of trophy parts or wasting and abandonment of carcass thereof is prohibited; amending Section 26-307, R.C.M. 1947." .....	116, 180, 191, 214, 220, 249, 768, 832, 848, 946
152	Introduced by Kessner, Tierney, Selstad, Kolstad: A bill for an act entitled: "An act appropriating two thousand seven hundred dollars (\$2,700) from the general fund to the Department of Highways for the purpose of aiding Montana's officially designated marching organization in the 1973 presidential	

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	inaugural parade with costs incurred in traveling to Washington, D. C., to represent Montana in the parade, and providing an effective date." .....	116, 286, 330, 363, 366, 394, 395, 651
153	Introduced by McKittrick, Lee, Healy, Brand, Glen- nen, Menahan, Baeth, Huennekens, Colberg, Lynch, Zimmer: A bill for an act entitled: "An act to amend Section 11-1932, R.C.M. 1947, increasing minimum wages of firemen." .....	116, 498, 499, 538, 587, 614, 618, 840, 883, 919, 941, 998, S-18, 92, 98, 108 190
154	Introduced by Tierney, Norman, Turman, Gunderson, Swanberg, Murphy: A bill for an act entitled: "An act authorizing local government units to charge tax exempt entities for services supplied for the benefit of said entities." .....	116, 179, 197, 198, 261
155	Introduced by Murphy, Laas, Edland, Turman, R. Harper, Greely, Aageson: A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to change the date of the primary election to the second Tuesday in September." .....	116, 267, 366, 398, 421
156	Introduced by Swanberg, Tierney, Bradley, Cox, Ains- worth: A bill for an act entitled: "An act amend- ing Sections 84-4701.1, 84-4701.2 and 84-4701.6, R.C.M. 1947, to exclude the levies for police re- serve funds and the firemen's disability and pen- sion funds from the mill limitation of the all-pur- pose levy." .....	116, 179, 410, 429, 461, 480, 504, 818
157	Introduced by Holmes, Fagg, Bennetts, Stoltz, Watt, Haines, Marbut, Turman, H. Harper: A bill for an act entitled: "An act to prohibit or restrict smoking in public places." .....	116, 301, 302, 347, 380, 389, 422, 423
158	Introduced by Kimble, Norman, Bennetts, Turman, Kendall, Edland, Murphy, Bradley, Holmes: A bill for an act entitled: "An act amending Section 92- 418, R.C.M. 1947, providing for mental or nervous system injury without trauma in the injury def- inition section of the Workmen's Compensation Act." .....	116, 206, 276, 294, 299, 325, 667
159	Introduced by Haines, Marbut, Ainsworth, Watt: A bill for an act entitled: "An act making lawful the conducting of bingo and raffles by certain nonprofit organizations; requiring licensing and prescribing regulations therefor." .....	116, S-131, 132, 133



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160	Introduced by Marks, Hubing, Kolstad, Halvorson, Zimmer, Burnett, Johnston, Bell, Gunderson: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M. 1947, to reduce the minimum sentence for a third conviction for driving while under the influence of alcohol or drugs and requiring imposition of sentence." .....	125, 493, 511, 534, 564, 576, 625
161	Introduced by Schye, Galt: A bill for an act entitled: "An act providing a fifteen percent (15%) commission to Fish and Game license agents; granting the Commission authority to limit the number of license agents in a community; and amending Sections 26-220 and 26-222, R.C.M. 1947." .....	125, 204, 205
162	Introduced by Swanberg, Towe, Holmes, Tierney, Fagg, McKittrick: A bill for an act entitled: "An act to be known as The Montana Environmental Protection Act; providing for legal actions in environmental problems; and providing an effective date." .....	126, 511, 512, 570, 611, 625, 630, 840
163	Introduced by Greely: A bill for an act entitled: "An act to amend Section 95-1005, R.C.M. 1947, to require cities to remunerate appointed counsel necessary in proceedings involving the violation of city ordinances." .....	126, 178, 191, 214, 220, 249, 817, 853, 886, 896, 990
164	Introduced by McKittrick, Lynch, Swanberg: A bill for an act entitled: "An act to amend Section 16-3203, R.C.M. 1947, to provide four (4) year terms for county auditors under the 1972 Montana Constitution which has no limitation on terms of legislatively created county offices; and to remove the requirement that the auditor be a male person." .....	126, 240, 286, 314, 347, 382, 780, 884, 885, 886, 896, 990
165	Introduced by Greely: A bill for an act entitled: "An act deleting the requirement of being a 'freeholder' or 'taxpaying freeholder'; amending Sections 11-710, 11-714, 11-725, 11-1021, 11-1207, 11-1208, 11-3214, 11-3215, 11-3417, 84-4706, and 84-4710, R.C.M. 1947; and providing an effective date." .....	126, 178, 191, 214
166	Introduced by Bardanouve, Fasbender, Baucus: A bill for an act entitled: "An act providing that reclamation costs are not deductible in computation of the net proceeds tax." .....	126, 776, 801, 889, 895, 953, S-156
167	Introduced by Regan (by request): A bill for an act entitled: "An act to amend Section 75-7906, R.C.M.	

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	1947, to delete the stated amount of administration funds for the traffic education program." .....	126, 400, 431, 508, 518, 558, 929, 966, 1008, 1009, 1028, S-74
168	Introduced by Edland, Greely, McKittrick: A bill for an act entitled: "An act to amend Sections 45-801 and 45-802, R.C.M. 1947; to delete maximum amount of threshermen's liens upon grain or crops and to provide for arbitration of disputes over rates charged for liens." .....	126, 472, 523, 564, 610, 625, 630, 929, 976, 1029, 1030, S-3, 74
169	Introduced by Asbjornson, Barrett, Kosen, Haines, Bardonou: A bill for an act entitled: "An act to amend Sections 66-3101, 66-3120, 66-3103, 66-3104, 66-3105, 66-3109, 66-3110 and 66-3112, R.C.M. 1947, providing for nursing homes and administrators; defining nursing homes to include extended care facilities and intermediate care facilities, and defining the term inactive nursing home administrator; clarifying who may be appointed to the board; providing for qualification and registration of licenses; providing for inactive nursing home administrators to pay an annual fee of not more than twenty-five dollars (\$25); requiring nursing home administrators and inactive nursing home administrators to complete a continuing education course prior to renewal of registration or license; providing for a penalty of up to five hundred dollars (\$500) fine or imprisonment up to six (6) months or both; and repealing Section 66-3113, R.C.M. 1947." .....	126, 444, 463, 509, 518, 558, S-7, 19, SA-33, 99, 108, 121
170	Introduced by Baeth, McKittrick (by request), Lombardi, Hodges, Staigmillier, Baucus, East, Ellerd: A bill for an act entitled: "An act to amend Section 87-109, R.C.M. 1947, providing for clarification of the definition of nonprofit organizations eligible to elect to make payments in lieu of contributions; providing for group election by nonprofit organizations; providing for termination of election to make payments in lieu of contributions and providing for appeal rights of nonprofit organizations making payments in lieu of contributions; providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947; and deletion of language no longer applicable." .....	126, 206, 220, 246, 250, 274, 275, 768, 848, 854, 855, 884, 946
171	Introduced by Menahan, Cox, Hubing: A bill for an	

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	act entitled: "An act amending Section 75-7013, R.C.M. 1947, to provide school trustees an alternative method to let school bus transportation contracts." .....	127, 304, 330, 363, 408, 454, 949, 993, SA-1022, S-15, 23, 42, 127
172	Introduced by Kimble, Huennekens: A bill for an act entitled: "An act abolishing the mined and reclamation advisory committee." .....	127, 141, 224, 276, 294, 299, 325, 326, 709, 764, 765, 766, 801, 888
173	Introduced by Menahan, Lynch, Mehrens, Brand, McKittrick, Quilici: A bill for an act entitled: "An act to amend Section 74-608, R.C.M. 1947; providing for a ceiling of one percent (1%)." .....	127 (House Bill No. 137 should be 173)
174	Introduced by Smith, Walborn (by request): A bill for an act entitled: "An act to amend Sections 46-801, 46-802, 46-803 and 46-804, R.C.M. 1947, requiring livestock brand inspection before change of ownership or removal from county and providing a lifetime horse transportation permit to owner." ..	127, 305, 315, 339, 347, 383, 725, 789, SA-826, 827, 896, 925, 935, 940, 1058
175	Introduced by Brand: A bill for an act entitled: "An act amending Section 94-9838, R.C.M. 1947, to require a hearing on a parole violation." .....	127, 178, 191, 214, 220, 249, 709, 776, 798, 799, 834, 928
176	Introduced by Brand: A bill for an act entitled: "An act requiring all employers to grant to employees who are elected or appointed to full-time public office leave of absence of not more than one hundred eighty (180) calendar days while engaged in such service; and requiring such employees to return to work, unless physically unable, within thirty (30) days following the completion of such public service or lose their seniority." .....	127, 250, 251, 298, 310, 321, 480, 481, 518, 562, 594, 621, 641, 1034
177	Introduced by Laas: A bill for an act entitled: "An act abolishing the Board of Highway Appeals and transferring its functions to the Highway Commission; providing for personnel appeals; and repealing Sections 82A-704 and 82A-705, R.C.M. 1947." ..	127, 520, 564, 611, 625, 630, 631
178	Introduced by Zimmer, Marks: A bill for an act entitled: "An act amending Section 82-1202.1, R.C.M.	

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	1947, providing for licensing of businesses which manufacture, sell, service and install fire extinguishers, fire alarms and fire extinguisher systems." 127, 449	
179	Introduced by Holmes, Watt, H. Harper, Kimble, Baucus, R. Harper, Colberg, Huennekens, Bennetts, Turman, Murphy, Marbut: A bill for an act entitled: "An act to prohibit promotional and institutional advertising by public utilities and their subsidiaries or spokesmen; and providing an effective date." ....	127, 315, 316
180	Introduced by Edland, Fasbender: A bill for an act entitled: "An act abolishing the State Conservation Commission, formerly the Soil Conservation Committee; and repealing Section 82A-1507, R.C.M. 1947." .....	127, 224, 276, 295, 299, 326, 690, 722, 924, 990
181	Introduced by Greely: A bill for an act entitled: "An act abolishing the Board of Election Devices and transferring its functions to the office of Secretary of State." .....	127, 265, 266
182	Introduced by Marbut: A bill for an act entitled: "An act abolishing the Sanitarian Advisory Council." ....	127, 207, 276, 295, 299, 326, 690, 764, 765, 766, 801, 888
183	Introduced by Marbut: A bill for an act entitled: "An act abolishing the Occupation Health Advisory Committee." .....	128, 206, 207, 276, 295, 299, 326, 327, 840, 895, 924, 925, 935, 940, 1010
184	Introduced by Swanberg: A bill for an act entitled: "An act abolishing the Outfitter's Advisory Council." .....	128, 207
185	Introduced by Gunderson: A bill for an act entitled: "An act abolishing the Fertilizer Advisory Committee." .....	128, 223, 276, 295, 299, 327, 726
186	Introduced by Hall: A bill for an act entitled: "An act abolishing the Advisory Council on Communications." .....	128, 223, 276, 295, 299, 327, 780, 848, 854, 855, 884, 946
187	Introduced by Murphy, Tierney, Edland, Gerke: A bill for an act entitled: "An act to amend Sections 23-3301 and 23-3304, to provide for a direct Presidential Primary Election in Montana." .....	128, 405
188	Introduced by Tierney, Greely, Gunderson, Towe: A bill for an act entitled: "An act providing for nomination by petition in first class elementary dis-	



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	tricts; amending Section 75-5915, R.C.M. 1947; and repealing Section 75-5914, R.C.M. 1947." .....	141, 142, 196, 261, 283, 284, 286, 308, 309, 769, 848, 854, 855, 884, 946
189	Introduced by R. Harper, Gunderson: A bill for an act entitled: "An act amending Section 16-4416, R.C.M. 1947, by deleting the limitation of seven dollars (\$7) per unit user per year." .....	142, 437, 463, 509, 518, 525, 526, 547
190	Introduced by Gunderson, Kimble, R. Harper, Tierney, Bennetts, Cox, Lee, Hodges, Haines, Swanberg, Murphy, Staigmiller, McKittrick, Turman, Marbut, Lynch, H. Harper, Towe, Fasbender, Holmes, Greely: A bill for an act entitled: "An act to amend Section 75-7103, R.C.M. 1947, to permit issuance of school bonds for vocation-technical centers." .....	142, 221, 237, 258, 273, 283, 286, 309, 780, 884, 885, 886, 896, 990
191	Introduced by Gunderson, Kimble, R. Harper, Tierney, Bennetts, Cox, Lee, Hodges, Lynch, Staigmiller, McKittrick, H. Harper, Murphy, Haines, Turman, Swanberg, Marbut, Towe, Fasbender, Holmes, Greely: A bill for an act entitled: "An act to amend Section 75-7709, R.C.M. 1947, providing for an alternative source for funding construction of vocational-technical centers." .....	142, 221, 222, 286, 314, 347, 383, 780, 884, 885, 886, 896, 1010
192	Introduced by Brand, Castles: A bill for an act entitled: "An act to provide for a tax exemption on real property belonging to disabled veterans and their spouses; amending Sections 84-202 and 84-301, R.C.M. 1947." .....	142, 240, 250, 273, 276, 296
193	Introduced by Fagg, Kosenka, Castles: A bill for an act entitled: "An act authorizing self-liquidation of costs of urban renewal projects; and amending Section 11-3910, R.C.M. 1947." .....	142, 239, 250, 273, 286, 309
194	Introduced by Brand, Lundgren, Yardley: A bill for an act entitled: "An act relating to railroad equipment; establishing minimum safety, sanitation, health, and comfort requirements for railroad cabooses." .....	142, 275, 435
195	Introduced by Marks: A bill for an act entitled: "An act amending Section 75-6323, R.C.M. 1947, providing that the State Examiner be the sole auditor of extracurricular funds of a school district." .....	142, 196, 202, 232, 242, 522

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196	Introduced by Turman, Murphy, Ainsworth, Kendall, Roberts: A bill for an act entitled: "An act permitting the Board of County Commissioners to hire administrative assistants and set their duties and salary; and amending Section 16-2409, R.C.M. 1947."	142, 240, 347, 381, 389, 423, 990, 1050, 1051, S-13, 74
197	Introduced by Stoltz, Holmes, Marks: A bill for an act entitled: "An act to amend Section 75-6917, R.C.M. 1947, to make provisions for the return of overpayments of state equalization aid made to the school districts."	142, 252, 366, 398, 408, 454, 906, 932, SA-962, S-3, 14, 24, 127
198	Introduced by Stoltz, Holmes, Marks: A bill for an act entitled: "An act to amend Sections 75-6917 and 75-6918, R.C.M. 1947, to remove the requirement that the Board of Public Education direct the payments of state equalization aid in the months of December and April and to remove the requirement that the Superintendent of Public Instruction report to the Board of Public Education the amount of state equalization funds in July and December."	142, 304, 315, 339, 347, 386, 387, 834, 854, 855, 884, 946
199	Introduced by Lucas, Cox, Ulmer, East, Yardley, Edland, Lien, Jacobsen, Bardanouve, Brown, Schye, Seifert, Nichols, Roberts: A bill for an act entitled: "An act to permit consolidation of police departments and sheriffs' offices within a county."	142, 143, 451, 511, 534, 593, 602, 769, 990, 1028, 1051, S-13, 127
200	Introduced by Norman, Kimble, Ainsworth: A bill for an act entitled: "An act to regulate and license clinical laboratory facilities and personnel."	143, 443, 463, 509, 518, 559
201	Introduced by Rolfe, Bradley, Mercer: A bill for an act entitled: "An act to amend Section 40-4407, R.C.M. 1947, pertinent to cancellation of motor vehicle insurance policies."	143, 207, 208
202	Introduced by Towe, Fagg, Huennekens, Bennetts, Tierney, Marbut, East, Holmes, Haines, Turman, Colberg, Hodges, Ainsworth, H. Harper, Bradley, Kimble, Watt: A bill for an act entitled: "An act providing that support of family planning shall be an affirmative policy of the state; providing for procedures, supplies and information with respect thereto; providing for administration of the act; and repealing Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947."	143, 566, 567, 593, 611, 623, 656, 657, 667, 797

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203	Introduced by Towe, Fagg, Huennekens, Bennetts, Tierney, Turman, East, Holmes, Kimble, Ainsworth, Marbut, Hodges, Bradley, H. Harper, Watt: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) from the general fund to the Department of Health and Environmental sciences for matching funds of the federal government under Title 4-A to provide additional family planning program money." .....	143, S-179
204	Introduced by McKittrick, R. Harper, Swanberg: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to extend the length of study for the two thousand (2,000) hour cosmetology course from not more than twelve (12) months to not more than fourteen (14) months; adding an age requirement; and changing the fee charged for temporary license." .....	143, 316, 366, 398, 408, 454, 455, 894, 940, 1008, 1009, 1028, S-74
205	Introduced by Johnston, Stephens, Tierney, Zimmer, Driscoll, Murphy, Burnett, Colberg, Huennekens, Hodges, Flynn, Kimble, R. Harper: A bill for an act entitled: "An act to provide for the conservation, management, enhancement and protection of nongame fish and wildlife and species threatened with extinction; and to provide enforcement authority and penalties for violations." .....	143, 264, 400, 462, 472, 485, 528, 1011, 1037, SA- 1045, S-73, 77, 99, 190
206	Introduced by Johnston, Stephens, Tierney, Zimmer, Driscoll, Murphy, Colberg, Huennekens, Hodges, Kimble, Flynn, R. Harper: A bill for an act entitled: "An act to amend Sections 26-201, 26-202.1 and 26-202.2, R.C.M. 1947, by eliminating bison or buffalo as a big game animal." .....	143, 264, 265, 298, 320, 330, 356, 769, 848, 854, 855, 884, 946
207	Introduced by R. Harper, Tierney, Towe, Holmes, Gunderson, Huennekens, Murphy, McKittrick, Johnston, Stephens, Driscoll, Regan, Greely, Bennetts, Staig-miller, Stoltz, Norman, Baucus, Roberts, Marbut: A bill for an act entitled: "An act to regulate the intrastate distribution and sale of hazardous substances intended or suitable for use by the general public; to investigate and evaluate general use hazardous substances and resulting accidents as they relate to public health; and providing for an effective date." .....	143, 544, 593, 624, 626, 652, 653, 928
208	Introduced by Lynch, Quilici, Lundgren, Turman, Dris-	

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	coll: A bill for an act entitled: "An act amending Section 31-138, R.C.M. 1947, to provide for a duplicate driver's license for a one dollar (\$1) fee for those so requesting." .....	143, 203, 204
209	Introduced by Forsgren, Stoltz: A bill for an act entitled: "An act to amend Section 8-101, R.C.M. 1947, to provide that the language of the exclusion of school buses will be compatible to the Interstate Commerce Commission ruling." .....	144, 203, 347, 381, 408, 455, 710, 727, SA-774, 834, 854, 855, 884, 946
210	Introduced by Lynch, Cotton, Fagg, Warfield, Lee: A bill for an act entitled: "An act to amend Sections 32-21-155.1 and 75-7002, R.C.M. 1947, to require the semiannual inspection of school buses in compliance with Standard No. 17 of the Highway Safety Program issued by the United States Department of Transportation." .....	144, 203, 220, 246, 347, 383, 709, 776, 798, 799, 834, 928
211	Introduced by Towe, McKittrick, Greely, Baucus, Hall, Tierney, Turman, Bell, Gunderson, Lucas, Swanberg: A bill for an act entitled: "An act amending Section 10-622, R.C.M. 1947, providing an increase in the maximum salary for juvenile probation officers from ten thousand two hundred dollars (\$10,200) to thirteen thousand dollars (\$13,000)." .....	144, 208, 220, 246, 261, 284, 285, 894, 932, 934, 936, 1032, S-56, 66, 78, 79, 85, 103, 118, 147, 148, 149, 158, 164, 181
212	Introduced by Haines: A bill for an act entitled: "An act to include health service corporations in the Montana Insurance Code for tax purposes by repealing Section 40-2611, R.C.M. 1947." .....	144, 251, 252, 897
213	Introduced by Turman, R. Harper: A bill for an act entitled: "An act permitting counties to increase expenditures for the purpose of maintaining county parks; amending Section 62-102, R.C.M. 1947; and providing an effective date." .....	144, 406
214	Introduced by R. Harper, Kendall, Murphy, Fasbender, Halvorson, Kimble, Quilici, Brand, Shelden, Manuel, Stoltz, Edland, Colberg, Roberts, Norman, McKittrick, Baeth, Healy, Mehrens, Baucus, Hodges, Menahan, Gunderson, H. Harper, Lynch, Turner, Bennetts, Gerke, Staigmillier, Holmes, Greely, Tierney, Watt, Kosena, Marbut, Bradley, Regan, Lombardi, Yardley, Swanberg, Towe, Fleming, Cotton: A bill for an act entitled: "An act to amend Section 87-103, R.C.M. 1947, providing for an increase	



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	in the maximum weekly benefit amount; providing a new formula for determining the qualifying base period wage; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." .....	144, 349, 408, 461, 480, 504, 1011, 1038, SA-1046, S-24, 36, 37, 61, 138
215	Introduced by Kolstad, Aageson, Barrett, Holtz, Lien, R. Harper, Lynch, Swanberg, Staigmiller, Hodges, Laas, Jones, Gunderson: A bill for an act entitled: "An act amending Section 82-1515, R.C.M. 1947, to provide that the Board of Hail Insurance appoint a sufficient number of appraisers each year to appraise the hail losses in the various counties." .....	144, 469, 480, 509, 533, 547, 584, 726, 764, 801, 888
216	Introduced by Aageson, Kolstad, Barrett, Holtz, Lynch, R. Harper, Tierney, Laas, Gunderson, Prevost: A bill for an act entitled: "An act to amend Section 84-1511, R.C.M. 1947, eliminating the transfer from the Board of Hail Insurance Agency account to the general fund two percent (2%) of the gross annual levy." .....	144, 469, 480, 509, 533, 547, 584, 625, 726
217	Introduced by Lund, Kosena: A bill for an act entitled: "An act to add a new section in Title 69, Chapter 48, R.C.M. 1947; providing for general and special authorization of powers in the Department of Health and Environmental Sciences relating to acquisition of information and enforcement remedies for the purpose of complying with the requirements for states under the Federal Water Pollution Control Act Amendments of 1972; and amending Section 69-4802, R.C.M. 1947, by providing additional definitions." .....	144, 145, 275, 561, 562, 765, 766, 769, 790, 791, 792, 793, 794, 795, 884, 919, 1014, S-3, 93, 106, SA-120, 147, 155
218	Introduced by Burnett, Hageman: A bill for an act entitled: "An act to amend Section 89-1706, R.C.M. 1947, to limit to a period of eight (8) years after maturity of the obligation the lien on lands in an irrigation district created by the obligation." .....	145, 523, 546, 610, 631, 780, 895, 896, 897, 924, 990
219	Introduced by Haines: A bill for an act entitled: "An act to amend Section 93-2624, R.C.M. 1947, to provide a limitation during which actions for professional negligence can be commenced against nurs-	

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	ing home administrators and long-term care facilities." .....	145, 197, 202, 232, 237, 260, 817, 884, 886, 896, 990
220	Introduced by Cotton, Lucas, Forsgren, Cox, Gunderson, Haines, Yardley, Prevost, Warfield: A bill for an act entitled: "An act to amend Section 75-6204, R.C.M. 1947, to increase pay to members of the Teachers' Retirement Board and remove restrictions on maximum per diem pay; amending Section 75-6206 and 75-6207, R.C.M. 1947, to change certain methods of funding and disbursing from the various teachers' retirement system funds; amending Section 75-6208, R.C.M. 1947, to provide additions and changes in various benefits to members of the Teachers' Retirement System; amending Section 75-6212, R.C.M. 1947, to allow for service credits for employment while a teacher is on leave; amending Section 75-6213, R.C.M. 1947, to define basis of cost for out-of-state service credit; changing credit for out-of-state teaching and prior military service and decreasing membership requirements of the Teachers' Retirement System; adding a new section to be numbered 75-6219 providing for a tax deferred annuity program sponsored by the Teachers' Retirement System." .....	145, 182, 335, 408, 461, 547, 577, 1059, S-11, 23, 24, 53, 79, 103, 118, 131, 143, 158, 164, 181
221	Introduced by Mehrens, Lee, Quilici, Menahan, Healy, Lynch, Lombardi, Roberts, R. Harper, Driscoll: A bill for an act entitled: "An act amending Section 84-4910, R.C.M. 1947, to increase the allowance for personal exemption from income taxation." .....	145, 812
222	Introduced by Warfield, Gunderson: A bill for an act entitled: "An act related to the school transportation reimbursement rate schedules; providing an increase of the bus per mile reimbursement schedules; and amending Section 75-7018, R.C.M. 1947." .....	145, 304, 319, S-179, 180
223	Introduced by Warfield, Gunderson: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M. 1947, relating to the procedure for determining the maximum reimbursement for individual transportation and relating to the rates of such reimbursement." .....	145, 304, 319
224	Introduced by Hall: A bill for an act entitled: "An act governing the disposition of community property rights at death, and providing an effective date." ....	145, 419
225	Introduced by Hall: A bill for an act entitled: "An act to provide for meeting of standing and special	

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	committees of either House of the State Legislative Assembly of the State of Montana during the interim between regular sessions thereof; to provide for compensation and expenses for the members thereof while such committees are in session, and to provide for the powers thereof; and to provide an effective date." .....	145, 354, 429, 461, 480, 505, S-93
226	Introduced by Hall: A bill for an act entitled: "An act to amend Section 94-9825, R.C.M. 1947, to provide for minimum salaries for parole officers employed by the State Board of Pardons of the State of Montana." .....	145, 464, 562, 593, 602, 603, 894, 976, 1029, 1030, S-3, 116, 117, 143
227	Introduced by Hall: A bill for an act entitled: "An act defining the crime of misappropriation of construction funds; providing penalties for persons receiving money for construction of improvements upon real property and who fail to complete said improvements, who fail to pay for services, labor, materials or equipment incident to such construction or who divert funds; and providing for prima facie evidence of violation of the act." .....	146, 491, 546, 610, 625, 631, 840
228	Introduced by Hall: A bill for an act entitled: "An act providing for estate tax apportionment to be known as the estate tax apportionment act." .....	146, 419
229	Introduced by Cotton, Lynch, Kendall, Holmes: A bill for an act entitled: "An act to amend Section 32-21-149, R.C.M. 1947, to allow school buses to use studded tires for the entire length of the school year." .....	146, 264, 276, 295, 299, 327, 710, 727, 789, SA-827, 896, 897, 924, 990
230	Introduced by Cotton, Lynch, Holmes: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M. 1947, to clarify the intent of the law which stipulates the distance that a family must reside from a school bus stop in order to be entitled to individual transportation." .....	146, 304, 330, 363, 366, 395, 769, 848, 854, 855, 884, 946
231	Introduced by Hageman, Gunderson, Cotton, Jacobsen, Kolstad: A bill for an act entitled: "An act amending Sections 3-233 and 3-2917, R.C.M. 1947, to provide for deposit of fees for testing of grain with the Department of Agriculture." .....	154, 276, 286, 314, 330, 356, 524, 684, 706, 766

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232	Introduced by Bardanouve, Driscoll: A bill for an act entitled: "An act to amend Sections 69-3504 and 69-3504.1, R.C.M. 1947, to change the administering agency for the registration and licensing of motorboats and vessels from the Board of Equalization to the Registrar of Motor Vehicles and to provide that motorboats and vessels may be registered at the County Treasurer's office." .....	154, 520
233	Introduced by Bardanouve and Driscoll: A bill for an act entitled: "An act to amend Sections 53-1013, 53-1025 and 53-1026, R.C.M. 1947, to change the administering agency for the registration of snowmobiles from the Board of Equalization to the Registrar of Motor Vehicles and to provide that snowmobiles may be registered and tax-paid decals issued in the County Treasurer's office." .....	154, 519
234	Introduced by Cox, Forsgren, Cotton, Regan: A bill for an act entitled: "An act to amend Section 75-5934, R.C.M. 1947, relating to the powers and duties of school trustees; and providing discretionary authority for making certain payroll deductions at the request of an employee." .....	154, 155, 1030
235	Introduced by Barrett, Asbjornson, Olson, Murphy, Schye, Bardanouve, Kosena, Lucas, Haines, Aageson, East, Prevost: A bill for an act entitled: "An act amending Section 16-2803, R.C.M. 1947; providing for common jails among counties with operation and maintenance costs to be prorated among the using counties; eliminating the requirement that there be a jail in each county seat; eliminating statutory limitation of one thousand dollars (\$1,000) which counties may spend on a common jail; and repealing Sections 16-2801 and 16-2802, R.C.M. 1947." .....	155, 203, 220, 246, 347, 383, 384, 780, 896, 897, 924, 990
236	Introduced by Lucas, Zimmer, Olson, Mehrens, Kosena, Ulmer, Marks: A bill for an act entitled: "An act to be known as 'The Fire Territory Act of 1973' providing procedures for organizing and administering fire protection in unincorporated areas not in a fire district; and amending Sections 11-2023 and 11-1941, R.C.M. 1947." .....	155, 238, 250, 273, 384, 863, 935, 942, 1058, 1061, S-8. 32
237	Introduced by Colberg, Huennekens, Towe, R. Harper. A bill for an act entitled: "An act to require that any contract, covenant, easement, servitude or other agreement allowing access to ores, metals or minerals for extraction by strip mining or open pit mining shall contain a provision expressly allowing this type of mining." .....	155, 262, 263, 298, 320, 340, 363, 364. 408, 455, 840



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238	Introduced by Colberg, Huennekens, Towe, R. Harper: A bill for an act entitled: "An act amending Section 93-9902, R.C.M. 1947, to declare that the extractions of minerals by strip mining or open pit mining is not a public use; and repealing Section 50-813, R.C.M. 1947." .....	155, 265, 315, 339, 340, 366, 395, 863, 940, 1008, 1009, 1028, S-74
239	Introduced by Colberg, R. Harper, Holmes, Huennekens: A bill for an act entitled: "An act to amend Section 50-1305, R.C.M. 1947, to require the permission of the owner of surface rights before mining or prospecting operations may be commenced." .....	155, 265, 298, 320, 340, 347, 387, 388, 817, 853, 885, 886, 896, 990
240	Introduced by Seifert, Hodges: A bill for an act entitled: "An act amending Section 32-21-115, R.C.M. 1947, requiring every vehicle upon a state highway and a two (2) lane section of the national system of interstate highways, once they are posted by the Highway Patrol Bureau, to display lighted lamps during all hours of the day and night." .....	155, 264
241	Introduced by Lien, Jacobsen, Edland, Hageman, Cotton, Bardanouve, Brand, Manuel, Stoltz, Swanberg, Johnston: A bill for an act entitled: "An act transferring the State Board of Hail Insurance from the State Auditor to the Department of Agriculture for administrative purposes only; and repealing Section 82A-2103, R.C.M. 1947." .....	155, 469, 480, 509, 518, 559, 1059, S-25, 35, 37, 61, 138
242	Introduced by Huennekens, Fagg, Colberg, Towe, Johnston: A bill for an act entitled: "An act to amend Section 26-507, R.C.M. 1947, prohibiting the resale or commercial use of confiscated fish and game purchasers." .....	155, 401
243	Introduced by Bell, Gunderson, Baeth, Ulmer, Marks: A bill for an act entitled: "An act to amend Section 68-501, R.C.M. 1947, to provide that members of the Public Employees' Retirement System who have served in the Armed Forces of the United States or the Department of War or Defense during time of war or other national emergency may receive retirement and death benefits up to a maximum of four (4) years regardless of whether the member was a member prior to service in the Armed Forces or with the Department of War or Defense." .....	155, 156, 237, 783
244	Introduced by Lynch, Glennen, Quilici, Lee: A bill for an act entitled: "An act to exempt police pension payments payable under Sections 11-1821 and	

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	11-1814, R.C.M. 1947, from taxation, attachment and other legal processes." .....	156, 223, 366, 398, 408, 455, 456, 863, 924, 942, 1058
245	Introduced by Johnston, Stephens, Manuel, Huennekens, Swanberg: A bill for an act entitled: "An act to amend Section 26-202.2, R.C.M. 1947, to provide that any person who has killed or taken a mountain goat shall not be eligible to apply for another license for the next succeeding seven (7) years." .....	156, 352, 366, 398, 408, 456, 840, 896, 897, 924, 990
246	Introduced by Brand, Hodges, Staigmler, Cox, Hager, H. Harper: A bill for an act entitled: "An act to establish procedures for the disposition of contributions made to the Fire Department Relief Association funds by unmarried members." .....	156, 179, 191, 214, 237, 260, 408, 817 831, 833, 852, 861, 939, 949, 1007, 1029, 1030, S-2, 51
247	Introduced by Kvaalen: A bill for an act entitled: "An act to amend Section 25-215, R.C.M. 1947, forbidding the hunting of jackrabbits on private land with an artificial light while using a motor vehicle; and allowing jackrabbits to be hunted on private land with an artificial light which is carried if permission of the landowner, lessee, or agent is obtained." .....	156, 352
248	Introduced by Burnett, Rolfe, Kolstad, Clemow, Campbell, Schye, Murphy, Greely, Kessner, Manuel: A bill for an act entitled: "An act amending Section 4-402, R.C.M. 1947, defining "board" and "state liquor store"; abolishing state liquor stores; providing for the retail sale of liquor in the original package; regulating the mark-up on liquor sold in the original package by licensees; repealing Sections 4-114, 4-115, 4-116, 4-117, 4-118, 4-119, 4-120, 4-121, 4-152, 4-405 and 4-406, R.C.M. 1947." .....	156, 334, 336, 524
249	Introduced by Fagg, Healy: A bill for an act entitled: "An act to amend Section 50-704, R.C.M. 1947, to permit assessment work performed at one (1) point within a group of contiguous claims to apply to all contiguous claims." .....	156, 435, 463, 509, 518, 559, 949, 1007, 1029, 1030, S-3, 74
250	Introduced by Fagg, Hall, Towe, Tierney, Kolstad, Warfield, Marbut, Bardanouve, Lund, Mercer, Holmes, Fleming, Baeth, Gunderson, Glennen, Cox, Hodges, Lee, Quilici, Norman, Baucus, Ainsworth,	

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	Regan, Lombardi, Mehrens, R. Harper, Roberts, Stephens, Brand, Flynn, Kendall, Gerke, Kvaalen, Lockrem, Huennekens, Colberg, Turner, Ellerd, Walborn, Smith, Olson, Barrett, Asbjornson, Galt, Nichols, Lundgren, Brown, Hubing, East, Murphy, Lynch, Stoltz, Staigmiller, Zimmer, H. Harper, Schye, Holtz, Aageson, Campbell, Halvorson, Castles, Marks, Edland, Hageman, Forsgren, Haines, Turman, Laas. Healy, Johnston, Selstad, Fasbender, Seifert, Kessner, Manuel, Burnett, Jones: A bill for an act entitled: "An act to be known as the "Uniform Motor Vehicle Accident Reparations Act of 1973"; providing for reparation benefits for persons in motor vehicle accidents with limitations upon the capacity to sue in tort to specified liability instances; providing for a system of security and insurance for reparation benefits and residual tort liability; amending Section 32-1208, R.C.M. 1947; repealing Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947; and providing an effective date." .....	156, 334, 347, 381, 398, 408, 456
251	Introduced by Bradley, Tierney, Hageman: A bill for an act entitled: "An act amending Section 66-802, R.C.M. 1947, to define the practice and teaching of cosmetology." .....	156, 354, 370, 398, 408, 456, 817
252	Introduced by Bradley, Tierney, Hageman: A bill for an act entitled: "An act amending Section 66-804, R.C.M. 1947, changing the name of the Montana Examining Board of Cosmetology to Board of Cosmetologists, changing the membership thereof and renumbering the Section as Section 82A-1602.8." ....	157, 354, 366, 398, 408, 456, 457, 518, 780, 884, 886, 896, 990
253	Introduced by Quilici, McKittrick, Lee, Lockrem: A bill for an act entitled: "An act providing for waiver of time requirements in filing of claim by Division of Workmen's Compensation if reasonable showing of lack of knowledge of disability is shown by claimant; and amending Section 92-601, R.C.M. 1947." .....	157, 240, 347, 381, 389, 423, 817, 831, SA-864, 865, 935, 942, 1058
254	Introduced by Watt, Halvorson, Baeth, Tierney, Norman, Swanberg, Turman: A bill for an act entitled: "An act repealing Section 84-1501.8, R.C.M. 1947, to eliminate the six and one-quarter percent (6¼%) corporation license tax rate for taxable years ending after February 28, 1973; and amending Section 84-1501, R.C.M. 1947, to make retroactive and permanent the six and three-quarters percent (6¾%) corporation license tax rate." .....	157, 252, 283, 286, 309, S-102, 134, 142

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255	Introduced by Fagg and Hager: A bill for an act entitled: "An act authorizing condominiums on land covered by a single lease which will have precedence over construction financing liens and liens securing the purchase price of condominium units; and amending Sections 67-2302, 67-2303, 67-2304, 67-2314, 67-2322, 67-2323, 67-2324, 67-2326, R.C.M. 1947." .....	157, 448, 463, 509, 518, 559, 862
256	Introduced by Yardley: A bill for an act entitled: "An act establishing the salaries of boards of county commissioners by resolution; setting the mileage allowance at twelve cents (\$.12) per mile; and repealing Section 16-912, R.C.M. 1947." .....	157, 239, 286, 314, 330, 357, 1011, 1038, SA-1046, S- 24, 36, 37, 61, 158
257	Introduced by Yardley: A bill for an act entitled: "An act providing for recall of county commissioners." .....	157, 239, 250, 273, 276, 296, 930
258	Introduced by Yardley: A bill for an act entitled: "An act to add a new Section to the water pollution laws of the state in Chapter 48, Title 69, R.C.M. 1947, providing for determination and collection of civil penalties as an additional remedy; and providing for rebate of a portion of a penalty paid upon terms determined by the court." .....	157, 463, 464
259	Introduced by Brand and Roberts: A bill for an act entitled: "An act to require all railroad locomotives to be powered by electricity only." .....	157, 251
260	Introduced by Cotton: A bill for an act entitled: "An act to amend Sections 75-7004, 75-7005 and 75-7019, R.C.M. 1947, to allow the trustees of a school district and the county transportation committee a degree of latitude in granting increases in individual transportation based on an isolation chart provided by the Superintendent of Public Instruction; and to change the Board of Education to the Board of Public Education." .....	157, 496, 511, 534, 547, 577, 1033, S-25, 61, 62, 98, 158
261	Introduced by Marbut, Kosena, Bennetts, Regan, Turman, McKittrick, Towe, Turner, Healy, Lee, Holmes: A bill for an act entitled: "An act providing for infant screening; providing the Department of Health and Environmental Sciences require tests for newborn infants; providing for administration of the act; regulations; requiring the availability of, and if requested, furnishing of assistance and services of the Department of Health and Environment-	



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	al Sciences and the Boulder River School and Hospital if tests are reported positive; and repealing Section 69-4116, R.C.M. 1947." .....	157, 158, 443, 463, 509, 510, 547, 577, 840, 895, 924, 925, 935, 940, 1010
262	Introduced by Marbut, Bennetts, Lee, Holmes, Regan, McKittrick, Towe, Turner, Healy: A bill for an act entitled: "An act providing for redefining a premarital standard serological test to include additional tests; and amending Sections 48-134, 48-136 and 48-137, R.C.M. 1947." .....	158, 443, 463, 593, 603, 840, 935, 942, 1058
263	Introduced by Marbut, Bennetts, Regan, Lee, Turman, McKittrick, Towe, Turner, Healy, Holmes: A bill for an act entitled: "An act providing for a standard serological test for women seeking prenatal care; providing for definitions; laboratory testing, certificate form, duties of physicians and other persons required to take samples; disclosure of report, confidentiality of report, report to Department of Health of positive reports of test, use of information by department, when, report of birth to state if test is made; exemption from provisions of act; and repealing Sections 69-4612, 69-4613, 69-4614 and 69-4615, R.C.M. 1947." .....	158, 443, 463, 510, 593, 603, 840, 895, 925, 935, 940, 1010
264	Introduced by East, Turner, Turman, Cox, Marks, Lundgren, Clemow, Hubing, Holtz, Lockrem, Campbell, Glennen, Selstad: A bill for an act entitled: "An act to amend Section 87-103, R.C.M. 1947, providing for an increase in the maximum weekly benefit amount; providing a new formula for determining the qualifying base period wage; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." .....	171, 388, 562
265	Introduced by Jacobsen, Hageman, Lund, Nichols, Prevost, Manuel, Murphy, Gunderson: A bill for an act entitled: "An act to amend Section 32-1123, R.C.M. 1947, increasing the allowable width of vehicles and the moving distance of farm vehicles; and altering the flagmen escort requirements of farm vehicles." .....	171, 493, 494, 593, 624, 626, 653, 817, 833, 1011, 1038, SA-1046, S-73, 76, 77, 99, 190
266	Introduced by Brand: A bill for an act entitled: "An act to amend Section 93-5816, R.C.M. 1947, pertaining to exemption of earnings from levy of	

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	execution or attachment to provide for form of affidavit, filing and a hearing if contested." .....	171, 223, 298, 320, 330, 357, 518, 817
267	Introduced by Yardley, Hall, Bell: A bill for an act entitled: "An act to amend Section 93-9908, R.C.M. 1947, relating to contents of the complaint in eminent domain proceedings and who must be styled defendants therein." .....	171, 262, 276, 295, 330, 357, 780, 884, 886, 896, 990
268	Introduced by Murphy, Gerke, Flynn, Schye, Walborn, Kosena, Kendall, Roberts, Manuel, Kimble, Greely, H. Harper: A bill for an act entitled: "An act to restrict campaign expenditures for candidates to the State Legislature to five hundred dollars (\$500) for the primary election and one thousand dollars (\$1,000) for the general elections; and amending Sections 94-1427 and 94-1428, R.C.M. 1947." .....	171, 299, 300, 366, 398, 408, 457, 710
269	Introduced by Bell, Gunderson: A bill for an act entitled: "An act amending Section 32-1213, R.C.M. 1947, relating to the confidentiality of automobile accident reports filed pursuant to the uniform accident reporting act by providing that such reports may be examined by certain persons." .....	171, 261, 262, 298, 320, 330, 357, 358, 726, 776, 798, 799, 834, 928
270	Introduced by Swanberg, Hodges, McKittrick, Staig-miller: A bill for an act entitled: "An act to amend Section 95-2007, R.C.M. 1947, by expanding the sentencing power of justice and police courts." .....	171, 222, 298, 320, 330, 358, 894, 932, SA-962, 1050, 1051, S-13, 127
271	Introduced by Healy, Mehrens, Lee, Lynch, R. Harper, Zimmer, Brand, Quilici, Lombardi, Kosena, Flynn: A bill for an act entitled: "An act amending Section 28-602, R.C.M. 1947, to provide that a rural fire control chief may be a regular county officer, or other person; amending Section 28-604, R.C.M. 1947, to make clear that fire companies and fire districts in unincorporated areas are excluded; and providing an effective date." .....	171, 203, 220, 246, 347, 384, 780, 896, 925, 935, 940, 1010
272	Introduced by Baucus, Watt, Lynch, Turman, McKitt- rick, Hageman: A bill for an act entitled: "An act amending Section 34-301, R.C.M. 1947, relating to regulation of certain establishments; amending Section 34-302, R.C.M. 1947, relating to definitions; amending Section 34-303, R.C.M. 1947, relating to licenses required; amending Section 34-304, R.C.M. 1947, relating to the fee charged for a license;	

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	amending Section 34-306, R.C.M. 1947, relating to rules and regulations and cooperative agreements; providing for related matters; and repealing Section 34-308, R.C.M. 1947." .....	172, 316, 330, 363, 408, 457, 689, 727, 774, 789, 800, 835, 339, 1004, S-142, 147, 155
273	Introduced by Baucus, Gunderson, Regan, Swanberg: A bill for an act entitled: "An act to amend Section 75-7109, R.C.M. 1947, to allow the sale of refunding bonds by a school district without notice when the interest rate on the new bonds is at least one-half of one percent (.5%) per annum less than the interest rate on the bonds to be redeemed." .....	172, 221, 237, 259, 347, 384, 385, 862
274	Introduced by Kimble, Turman, Marbut, Towe, Baucus, Tierney, Hodges, Murphy, Bradley, Roberts: A bill for an act entitled: "An act to amend the housing authorities law by removing the referendum provisions; and amending Section 35-104, 35-109 and 35-128, R.C.M. 1947." .....	172, 406
275	Introduced by Flynn, Clemow: A bill for an act entitled: "An act to add the definition of district to Section 11-3803 and to amend Section 11-3810 (2), R.C.M. 1947, to require membership of district board members on each County Planning Board." .....	172, 202, 203, 267, 315, 340, 347, 385, 894, 932, SA-963, S-3, 14, 24, 127
276	Introduced by Towe, Bradley, Holmes, R. Harper, Huennekens, Colberg, Driscoll, Regan, Gunderson, Hodges, Baucus, Fleming, Fagg, McKittrick, Kimble, Norman, Marbut, Turman: A bill for an act entitled: "An act to disallow consideration of advertising expenses and contributions in setting rates charged by public utilities." .....	172, 353, 389, 428
277	Introduced by Towe, Norman: A bill for an act entitled: "An act amending Section 80-2211, R.C.M. 1947, relating to the apprehension and return of children who have left a juvenile facility of the Department of Institutions without permission by defining the term 'juvenile facility of the department.'" .....	172, 262, 276, 295, 315, 341, 894, 940, 1008, 1009, 1028, S-74
278	Introduced by Towe, Tierney: A bill for an act entitled: "An act amending Section 70-106, R.C.M. 1947, providing that money deposited in Montana banks may be considered as operating capital included in the value of property used in determining the rate base." .....	172, 352, 353, 370, 427, 431, 474, 475, 950

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279	Introduced by Hall: A bill for an act entitled: "An act to amend Sections 41-2303, 41-2306, and 41-2307, R.C.M. 1947, to provide that employees' minimum wage shall be exclusive of gratuities, to provide for further protection to employees, and to define the application of the Fair Labor Standards Act."	172, 436, 463, 510, 593, 603, 949, 993, SA-1022, S-25, 36, 37, 42, 127
280	Introduced by Baucus, Shelden, Bradley, Hall, Fashbender: A bill for an act entitled: "An act abolishing the Office of Investment Commissioner, the Investment Department, the Position of Commissioner of Insurance, and the Insurance Department and transferring their functions to the Department of Business Regulation."	172, 572, 573, 597, 609
281	Introduced by Fagg, Hager, Mercer, Glennen, Lee, Kimble, Galt, Walborn, Olson, Smith, Stephens, Huennekens, Towe, Kendall, Seifert, Laas, Zimmer, Flynn, Brown, Hubing, Quilici, Marbut, Driscoll, Warfield, Manuel, Baeth, Shelden, Roberts, Ellerd, Burnett, Healy, Lombardi, Hageman, R. Harper, Cotton, Clemow, Jones, Schye, Turman, Yardley: A bill for an act entitled: "An act providing for distinctive license plates for members of the Legislative Assembly."	172, 173, 305, 347, 381, 427, 547, 578, 990
282	Introduced by Hager, Selstad, Fleming, Stephens: A bill for an act entitled: "An act to amend Sections 3-2308 and 3-2315, R.C.M. 1947, eliminating the use and sale of the Montana Egg Seal; and repealing Sections 3-2307 and 3-2312, R.C.M. 1947."	173, 277, 286, 314, 330, 358, 550, 684, 706, 766
283	Introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-7403, R.C.M. 1947, to provide that the number of hours in a school day may be reduced if the total number of hours in the school week are not less than thirty (30); and providing for approval of reduction by the Superintendent of Public Instruction."	173, 221, 237, 259, 366, 395, 396, 949, 993, SA-1023, S-41, 61, 62, 98, 158
284	Introduced by Cotton: A bill for an act entitled: "An act creating the Montana Public Service Commission Regulatory Trust Fund."	173, 763
285	Introduced by Towe: A bill for an act entitled: "An act requiring the State Department of Revenue to remit the proceeds of the business and occupations license tax to local governments and to counties for	



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	the support of public schools; requiring local governments and counties to reduce property tax levies." 173	
286	Introduced by Huennekens, Fagg, Colberg, Towe: A bill for an act entitled: "An act to amend Section 26-104, R.C.M. 1947; deleting statutory requirements as to locations for drawings for special elk permits; and providing that drawings are to be conducted as prescribed by the Fish and Game Commission." .....	173, 352, 366, 427, 431, 475, 1012, S-25, 36, 37, 42, 127
287	Introduced by Laas: A bill for an act entitled: "An act to require the state, its units, counties, cities, towns, school districts or other political subdivisions of the state that awards contracts for public works to make provisions for pollution control; providing that any pollution control which is not specified but is encountered during execution of a contract be paid for on a force account basis; and defining force account." .....	173, 493, 518, 562, 594, 621, 768
288	Introduced by Laas: A bill for an act entitled: "An act to repeal Section 32-2804, R.C.M. 1947, which allows Boards of County Commissioners to contract with the federal government to construct roads without competitive bidding." .....	173, 493, 511, 534, 547, 584, 585, 863, 935, 942, 1058
289	Introduced by Asbjornson, Olson, Glennen, Schye: A bill for an act entitled: "An act to amend Section 91-4450, R.C.M. 1947, to provide that the county treasurer retain five percent (5%) of inheritance taxes collected." .....	173, 812
290	Introduced by R. Harper, Bradley, Tierney, Baucus, Driscoll, Colberg, Huennekens, Towe, Gunderson: A bill for an act entitled: "An act amending Section 60-212, R.C.M. 1947, providing that gasoline dealers shall have octane ratings on pumps." .....	173, 316, 317
291	Introduced by Laas, Johnston, Burnett: A bill for an act entitled: "An act to amend Section 84-1382.1, R.C.M. 1947, to provide for state assumption of paved federal and secondary highway maintenance, and to provide funding for such state maintenance." .....	173, 520
292	Introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act transferring the safety functions of the Division of Workmen's Compensation to the Department of Labor and Industry." .....	183, 638
293	Introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act transferring the Quasi-Judicial	

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	Functions of the Division of Workmen's Compensation to the Board of Labor Appeals." .....	183, 638
294	Introduced by McKittrick, Hall, Fasbender, Greely, Swanberg, Gerke, Marbut, R. Harper: A bill for an act entitled: "An act abolishing the Division of Workmen's Compensation and transferring its functions to the Department of Labor and Industry and the Board of Labor Appeals; and repealing Sections 82A-1004 and 82A-1005, R.C.M. 1947." .....	183, 481, 482, 511, 593, 604
295	Introduced by McKittrick, Hall, Fasbender, R. Harper, Greely, Swanberg, Gerke, Marbut: A bill for an act entitled: "An act amending Section 82A-1004, R.C.M. 1947, providing that the administrator of the Division of Workmen's Compensation shall be appointed by the Commissioner of Labor and Industry in lieu of the governor." .....	183, 639
296	Introduced by McKittrick, Quilici, Lynch, Marbut, Norman: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide for an increase in the minimum wage." .....	183, 436, 437, 518, 562, 593, 604, 839, 880, SA-915, 966, 1008, 1009, 1028, S-74
297	Introduced by Bardanouve, Ainsworth, Greely, H. Harper, Swanberg, Lee, Bell, Marbut, Yardley, Gunderson, Cox, Staigmillar, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett Flynn: A bill for an act entitled: "An act amending Section 11-1829, R.C.M. 1947, to authorize the investment of police retirement fund money in time or savings deposits in banks, Building and Loan Associations and Savings and Loan Associations." ..	183, 464, 484, 551, 562, 593, 604
298	Introduced by Bardanouve, Haines, R. Harper, H. Harper, Ainsworth, Fagg, Yardley, Marbut, Lee, Bell, Staigmillar, Cox, Bennetts, Swanberg, Greely, Gunderson, Baucus, Brand, Mehrens, Hall, Watt, Castles, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett: A bill for an act entitled: "An act amending Section 16-2618, R.C.M. 1947, to authorize county, city and town treasurers to deposit public money in Savings and Loan Associations." ..	183, 466, 518, 562, 564, 591
299	Introduced by Bardanouve, Greely, Swanberg, H. Harper, Fagg, Baucus, Ainsworth, Staigmillar, Cox, Gunderson, Yardley, Bell, Marbut, Lee, R. Harper, Brand, Mehrens, Hall, Castles, Bennetts, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett,	

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	Flynn: A bill for an act entitled: "An act amending Section 11-1914, R.C.M. 1947, to authorize the investment of fire department relief association funds in time or savings deposits in banks, Building and Loan Associations and Saving and Loan Associations." .....	184, 463, 484, 551, 562, 593, 604, 605
300	Introduced by Bardanouve, Ainsworth, Haines, H. Harper, Bell, Greely, Swanberg, Gunderson, Lee, Cox, Staigmiller, Marbut, Yardley, R. Harper, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts, Fasbender, Hodges, Prevost, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 79-301, 79-302 and 79-306, R.C.M. 1947, to authorize the deposit of public moneys in Savings and Loan Association." .....	184, 466, 511, 562, 593, 1023
301	Introduced by Marbut, Kendall, Hall, Roberts, Driscoll, Kimble, Towe, Bradley, Kosena, Baucus, Turman, Hodges, Mehrens, Huennekens, Schepens: A bill for an act entitled: "An act providing that foster or boarding homes or community residential facilities serving eight (8) or fewer specified handicapped persons be considered as a residential use of property; be permitted to use all residential zones; and to permit cities and counties to require a conditional use permit to maintain such homes in residential zones." .....	184, 304, 315, 340, 347, 385, 906, 932, SA-963, S-3, 14, 24, 127
302	Introduced by Burnett, Laas: A bill for an act entitled: "An act to amend Section 41-2304, R.C.M. 1947, allowing freedom of contract for wages." .....	184, 348, 349
303	Introduced by Bradley, Forsgren, Regan, Warfield: A bill for an act entitled: "An act to amend Section 75-6001, R.C.M. 1947, relating to teacher certification; providing an exemption for student teachers performing practice teaching in the public schools; and defining the legal status of student teachers during such assignment." .....	184, 522, 538, 563, 593, 605, 1059, S-25, 35, 37, 61, 138
304	Introduced by Haines, Ainsworth: A bill for an act entitled: "An act to amend Sections 16-1230, 16-1231 and 16-1232, R.C.M. 1947, to permit counties to contract with printing establishments for county printing." .....	184, 317, 366, 427, 461, 518, 560, 862, 918, SA-960, S-15, 23, 42, 158

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305	Introduced by Brand, Burnett, Lee, Lynch, Lombardi, Quilici, Lund, McKittrick, Staigmler, Baeth, Kosena, Bradley, Shelden, Murphy, Lundgren, Cox, Barrett, Marbut, Seifert, Walborn, Schye, Schepens, Kendall, Yardley, Stephens: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam war between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund twelve million dollars (\$12,000,000) for the payment of such honorarium and adjusted compensation and the administration of the law." .....	184
306	Introduced by Burnett: A bill for an act entitled: "An act to require review of executive orders." .....	184, 288, 289
307	Introduced by Brand: A bill for an act entitled: "An act to require notice to defendant of garnishment action and providing opportunity for a hearing." ....	184, 287, 366, 427, 431, 475, 817
308	Introduced by Cox, Yardley, Hall: A bill for an act entitled: "An act amending Section 45-1003, R.C.M. 1947, relating to liens for labor and material furnished for use of oil or gas wells or pipelines by deleting any reference to perfecting, priority, and method of filing such liens; providing how such liens are perfected; providing for the date such liens shall arise; providing for the preference of such lien over certain other liens; providing that all liens affixed by virtue of Chapter 10 of Title 45, R.C.M. 1947, upon the same property shall be of equal standing; and providing for the priority of such lien over mortgage or other liens." .....	185, 317, 330, 363, 370, 396, 710, 727, SA-774, 832, 848, 946
309	Introduced by Warfield: A bill for an act entitled: "An act to allow school districts to stop payment of issued warrants one (1) year after the date of issue." .....	185, 440, 484, 534, 547, 578, 1033, S-24, 36, 37, 42, 127
310	Introduced by Warfield: A bill for an act entitled: "An act deleting the requirement that school districts have signed claims for an expenditure when adequate documentation is provided by the payee and amending Section 75-6806, R.C.M. 1947." .....	185, 440, 484, 534, 593, 605, 1059, S-25, 35, 37, 61, 127
311	Introduced by Kimble (by request): A bill for an act entitled: "An act to amend Section 25-303,	



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	R.C.M. 1947, authorizing payment to justices of the peace for services rendered for filing a complaint and issuing a warrant of arrest." .....	185, 419
312	Introduced by Bardanouve: A bill for an act entitled: "An act to transfer certain funds from the Public Employees' Retirement System account in the agency fund to the State Game Wardens' Retirement Account in the agency fund." .....	185, 287, 315, 340, 347, 385, 386, 840, 896, 925, 935, 940, 1010
313	Introduced by Zimmer, Laas: A bill for an act entitled: "An act amending Section 82-1209, R.C.M. 1947, to require the state fire marshal to investigate the exact cause and circumstances of fires damaging or destroying property; to require insurance companies to notify the fire marshal of the cause and circumstances of certain fires; and requiring officials responsible for fire investigations to file loss incident reports on each fire." .....	185, 448, 484, 534, 594, 621, 622, 949, 1050, S-13, 14, 24, 127
314	Introduced by Ulmer, Tierney, Fasbender: A bill for an act entitled: "An act amending Section 84-6903, R.C.M. 1947, to provide for an alternative tax based on gross sales as required under Article III of the multi-state tax compact (Title 84, Chapter 67, R.C.M. 1947)." .....	185, 323, 330, 363, 389, 423, 424, 1012, S-15, 23, 42, 127
315	Introduced by Kimble, Turman, Bradley, Lien, Murphy: A bill for an act entitled: "An act to repeal Section 79-1602, R.C.M. 1947, authorizing certain state departments and bureaus to administer federal funds for Indians." .....	185, 277, 366, 427, 431, 475, 476, 780, 884, 885, 886, 896, 990
316	Introduced by Fasbender: A bill for an act entitled: "An act abolishing the State Board of Hail Insurance and the Department of Hail Insurance and transferring their functions to the Department of Business and Regulation; transferring functions of the state auditor in Section 82A-2103, R.C.M. 1947; and repealing Section 82A-2103, R.C.M. 1947." .....	185
317	Introduced by Yardley, Cox: A bill for an act entitled: "An act providing for the filing of declarations of estimated income if income not subject to withholding is one thousand dollars (\$1,000) or more and estimated tax can reasonably be expected to exceed fifty dollars (\$50); amending Section 84-4939, R.C.M. 1947; providing a penalty for un-	

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	derpayment of estimated tax; and providing an effective date." .....	185, 186, 649
318	Introduced by Hall, Bell: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana the second replacement of Part 2 of Volume Number 4 of the Revised Codes of Montana 1947, as published by the publishers and distributors of said codes; and providing an effective date." .....	186, 267, 276, 313, 315, 341, 342, 710, 776, 799, 834, 928
319	Introduced by Haines: A bill for an act entitled: "An act increasing the size of the board of trade; modifying the terms and compensation of its members and the method of designating its chairman; amending Sections 27-301, 27-306 and 27-310, R.C.M. 1947, to bring all retail stores within the scope of the licensing and enforcement powers of the board amending Sections 27-302, 27-303, 27-305, 27-307, 27-308, 27-313 and 27-314, R.C.M. 1947, to make reference to the board of trade instead of the Montana Trade Commission; and repealing Section 27-312, R.C.M. 1947." .....	186, 485
320	Introduced by Fagg, Kvaalen, Lombardi, Galt, Lucas, Hager, Mercer, Glennen, Lockrem: A bill for an act entitled: "An act prohibiting the public display of offensive sexual material, with definition of terms; and providing for a penalty." .....	186, 367, 568, 593, 624, 641, 653, 1059, S-11, SA-21, 22, 73, 76, 77, 99, 190
321	Introduced by Lee, Lynch, Glennen, Mercer, Cox, Lombardi, Healy, Quilici, Lockrem, Mehrens, Kosena, Lucas, Norman, Kimble, Fleming, Gerke, McKittick: A bill for an act entitled: "An act to amend Sections 84-202, 84-301, and 84-302, R.C.M. 1947, to exempt from taxation freeport merchandise." .....	186, 297, 347, 381, 389, 424, 894, 935, 942, 1058
322	Introduced by Lee, Lynch, Quilici, Lombardi, Healy, R. Harper, Mehrens, Kosena, Fleming, Gerke, Brand: A bill for an act entitled: "An act to change the dates for payment of property taxes and special assessments; and amending Sections 84-4101, 84-4103, 84-4104 and 84-4111, R.C.M. 1947." .....	186
323	Introduced by Lee, Yardley, Brand, Lombardi, Quilici, Towe, Norman, Healy, Marbut, Lynch, Hall, Cox, Glennen, Mercer, Seifert, Mehrens, Lucas, Gerke, R. Harper, Kimble, Norman, Fleming: A bill for an act entitled: "An act amending Section 11-1832, R.C.M. 1947, to provide for an increase in the longevity pay." .....	186, 437

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324	Introduced by Zimmer, Asbjornson: A bill for an act entitled: "An act amending Section 11-2022, R.C.M. 1947, to increase from twenty-five dollars (\$25) per month to fifty dollars (\$50) per month the maximum amount which may be paid to each qualified claimant under the volunteer firemen's pension plan; and providing an effective date." .....	186, 237, 250, 273, 286, 310, 906
325	Introduced by Lien, Gunderson, Hodges, Staigmillar, Swanberg, Kimble, Norman, Lund, Kvaalen, Ulmer: A bill for an act entitled: "An act to amend Sections 94-1430 and 94-1431, R.C.M. 1947, to extend the period of time for reporting campaign expenses to thirty (30) days." .....	186, 450, 511, 534, 547, 578, 579, 726, 776, 798, 799, 834, 928
326	Introduced by Kimble, McKittrick, Murphy, Norman, Baucus, Turman, Marbut: A bill for an act entitled: "An act to amend Sections 69-1501, 69-1508, 69-1509, 69-1512, 69-1601, 69-1604, R.C.M. 1947 and Section 94-35-212, R.C.M. 1947 to upgrade qualifications for hoisting engineers, to eliminate special inspectors of boilers, and revise fees for engineer license in the State of Montana." .....	186, 643, 644, 645, 646
327	Introduced by Marks: A bill for an act entitled: "An act amending Section 84-1202, R.C.M. 1947, by increasing the license tax on producers and importers of cement; limiting the imposition of the tax to sales or uses within the state of Montana; and providing for an effective date." .....	187, 648, 667, 897, 924, 994, 1013
328	Introduced by Lucas, Laas, Lockrem, Ulmer, Quilici: A bill for an act entitled: "An act amending Sections 82-1922 and 82-1144, R.C.M. 1947, to permit certain persons to enter into contracts with the state that are the result of competitive bidding." ....	187, 252, 298, 320, 363, 370, 396, 888, 889
329	Introduced by Laas, Murphy, Johnston: A bill for an act entitled: "An act amending Section 60-145, R.C.M. 1947, to increase the privilege and license tax on the production of oil and gas; and to require the payment of a fee for the drilling of stratigraphic test wells or core holes." .....	187, 297, 315, 340, 347, 386, 929, 1000, 1029, 1030, S-3, 74
330	Introduced by Norman: A bill for an act entitled: "An act providing for environmental noise control: providing for administration promulgation of rules and regulations, inspections, and enforcement of the act; and appropriating forty-six thousand nine hun-	

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	dred seventy-eight dollars (\$46,978) to implement this act for biennium starting July 1, 1973." .....	187, 499, 500, 570, 624, 626, 653, 654, 840
331	Introduced by Burnett, Jones, East: A bill for an act entitled: "An act declaring the legislative policy regarding activities of organized labor and pressure groups affecting agriculture, imposing liability for losses in perishable agricultural products suffered by an agricultural employer when a union or pressure group engages in concerted economic pressure." .....	187, 555
332	Introduced by Ulmer: A bill for an act entitled: "An act amending Section 84-6701, R.C.M. 1947, to specifically adopt the multi-state tax compact provisions relating to interstate audits." .....	187, 318, 330, 363, 389, 424, 894, 935, 941, 942, 1058
333	Introduced by Fasbender: A bill for an act entitled: "An act abolishing the Board of Administration of the public employees' retirement system, the Montana State Game Wardens' Retirement Board, the Montana Judges' Retirement Board, and the Teachers' Retirement Board and transferring their functions to the Department of Administration and to a Board of Teachers' and Public Employees' Retirement; and repealing Sections 82A-210, 82A-211 and 82A-212, R.C.M. 1947." .....	187, 330, 331, 332, 408, 461, 480, 505, 862, 918, SA-961, S-3, 60, 119, 133, 140
334	Introduced by Lien, Hall, Kimble, Swanberg: A bill for an act entitled: "An act to amend Section 16-807, R.C.M. 1947, to clarify the limit of indebtedness a county can incur as being five percent (5%) of the assessed value of the taxable property in the county and to delete the requirement that any indebtedness exceeding ten thousand dollars (\$10,000) be submitted to the voters." .....	187, 267, 276, 313, 315, 342, S-31, 57, 65, 85, 87, 95, 96, 128, 147, 155
335	Introduced by Aageson, Gunderson, Kolstad, Lundgren, Flynn, Laas, Jacobsen, Ellerd, Ulmer, Murphy, Schye, Jones, Lucas, Kendall, Lien, Asbjornson, Mehrens, Holtz, Cotton: A bill for an act entitled: "An act amending Sections 89-310, 89-312, 89-314 and 89-318, R.C.M. 1947; adding new provisions broadening the scope of weather modification by creating county weather modification authorities; and authorizing more extensive research and development of weather modification." .....	187, 482, 511, 534, 593, 605, 606, 1033, 1038 SA-1047, S-25, 36, 37, 61, 127



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336	Introduced by Kolstad, Aageson, Murphy, Laas: A bill for an act entitled: "An act to amend Sections 59-519 and 59-520, R.C.M. 1947, to allow school boards to appoint school personnel within one degree of consanguinity and affinity." .....	188, 440, 711, 769
337	Introduced by Glennen, Mercer, Lombardi: A bill for an act entitled: "An act amending Sections 11-1814 and 11-1821, R.C.M. 1947, allowing computation of retirement allowance in proportion to the current and changing pay schedules of the active police force." .....	188, 267, 298, 320, 381, 427, 428, 430, 460, 547
338	Introduced by East, Lundgren, Hubing, Lucas: A bill for an act entitled: "An act amending Sections 75-7102 and 75-8122, R.C.M. 1947, providing that community college districts shall have bonding authority and shall have authority to borrow moneys." .....	188, 463, 484, 534, 547, 585, 1059, S-44, 61, 62, 98, 158
339	Introduced by Towe, Haines, Gerke, Holmes, Huenekens, Cox, Colberg, Glennen, Mercer, Hager, Fagg, Regan, Lockrem: A bill for an act entitled: "An act amending Section 10-622, R.C.M. 1947, providing for maximum salaries for juvenile probation officers and qualifications justifying the salary." .....	188, 262, 298, 320, 330, 358, 359, 840
340	Introduced by Marbut, Gunderson, Healy, Haines, Halvorson, Regan, H. Harper, Castles, McKittrick, Bradley, Towe, Holmes, Cox, Turman: A bill for an act entitled: "An act providing for compulsory school attendance; repealing Section 75-6304, R.C.M. 1947; and providing an effective date." .....	188, 522
341	Introduced by Shelden, Bardanouve, Turman, Baeth, Fasbender, Burnett, Haines, Fagg, Watt, Bradley, Flynn, Kosena, Quilici, Kendall, Warfield, Greely: A bill for an act entitled: "An act concerning the division of land into lots; providing for the adoption and enforcement of subdivision rules by counties in accordance with standards established by the Department of Inter-Governmental Relations; providing for submission of a preliminary plan; providing for review and referral thereof; providing for public hearings and prescribing criminal penalties and criminal remedies of violations of the act." .....	188, 496, 497, 564, 610, 625, 631, 632
342	Introduced by Fagg (by request): A bill for an act entitled: "An act establishing responsibility for the enforcement of zoning provisions and providing	

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	penalties for knowingly failing to enforce zoning provisions." .....	188, 438, 484, 534, 593, 606, 1011
343	Introduced by Holmes, Kimble, Fagg, Tierney, Towe, H. Harper, Huennekens, Shelden: A bill for an act entitled: "An act providing that all educators who secure contracts to teach on Indian Reservations in Montana be required to take at least six (6) hours (six (6) college credits) in Indian culture courses." .....	188, 440, 441, 511, 534, 547, 583, 584, S-7, 19, SA-33, 92, 108, 121, 190
344	Introduced by Towe, Fasbender, Turman, Gerke, Kendall: A bill for an act entitled: "An act to amend Sections 11-1925, 11-1926 and 11-1927, R.C.M. 1947, to provide for pension adjustment based upon compensation paid to confirmed firemen." .....	188, 436, 463, 510, 547, 579, 894, 935, 941, 942, 1058
345	Introduced by Towe, Greely: A bill for an act entitled: "An act amending Section 11-1821, R.C.M. 1947, providing for a cost-of-living increase in subsequent payments to retired policemen." .....	188, 436
346	Introduced by Hall: A bill for an act entitled: "An act amending Section 91-4418, R.C.M. 1947, by requiring the clerk of the district court to pay estimated inheritance tax collections to the State Department of Revenue instead of to the county treasurer." .....	188, 189, 306, 330, 363, 457, 458, 929, 1000, 1029, 1030, S-3, 74
347	Introduced by Fasbender: A bill for an act entitled: "An act to repeal Sections 84-2301 through 84-2310, R.C.M. 1947, relating to a license tax on sleeping car companies; and providing an effective date." .....	189, 297, 315, 340, 347, 386, 710
348	Introduced by Zimmer: A bill for an act entitled: "An act repealing Section 69-1803, R.C.M. 1947, pertaining to fire escape requirements; repealing Section 69-1804, R.C.M. 1947, pertaining to fire escape specifications; repealing Section 69-1805, R.C.M. 1947, pertaining to duties of owners or occupants where fire escapes are required; repealing Section 69-1806, R.C.M. 1947, pertaining to safety requirements for exterior stairways and corridors; and repealing Section 69-1807, R.C.M. 1947, pertaining to fire extinguisher requirements for buildings." .....	189, 486
349	Introduced by Zimmer, Marks: A bill for an act entitled: "An act to repeal Section 69-1910, R.C.M.	

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	1947, pertaining to licensing of explosive magazines; to repeal Section 69-1911, R.C.M. 1947, pertaining to inspection of explosive factories and magazines; and to repeal Section 69-1930, R.C.M. 1947, pertaining to storage of kerosene, petroleum or caps in unincorporated towns and regulations for disposal of materials after dark." .....	189, 486, 511, 535, 562, 570, 606, 949, 1027, S-13, 14, 24, 127
350	Introduced by Marbut, Towe: A bill for an act entitled: "An act establishing a program of protective services for the mentally disabled." .....	189, 301, 366, 427, 463, 505, S-93, 106, 133, 139, 143, 148, 153, 154, 158, 181, 185, 190
351	Introduced by Bardanouve: A bill for an act entitled: "An act providing the State Highway Commission with the power to regulate the height of advertising signs; and establishing a maximum height for those signs." .....	189, 438
352	Introduced by Hall: A bill for an act entitled: "An act amending Section 91-4414, R.C.M. 1947, relating to exemptions for inheritance tax purposes, by limiting the inheritance tax exemption available to "adopted and mutually acknowledged children" to "minor adopted and mutually acknowledged children"; and by allowing widowers the same inheritance tax exemption as widows." .....	189, 306, 330, 363, 370, 396, 929, 966, 1008, 1009, 1028, S-74
353	Introduced by Towe: A bill for an act entitled: "An act repealing the public service commissions authority under Sections 70-117.1 through 70-117.6, R.C.M. 1947, to regulate and supervise the issuance of securities by public utilities furnishing electric or gas service in Montana." .....	189, 353, 625
354	Introduced by Marks: A bill for an act entitled: "An act amending Sections 84-1102 and 84-1104, R.C.M. 1947, by increasing the license tax on cement dealers; limiting the imposition of the tax to sales or uses within the state of Montana; and providing for an effective date." .....	189, 648, 667, 903, 924, 994
355	Introduced by Kvaalen, Prevost: A bill for an act entitled: "An act to amend Section 89-1804, R.C.M. 1947, to eliminate the four dollar (\$4) per acre limitation for administration and maintenance costs in irrigation districts." .....	189
356	Introduced by Colberg, Walborn: A bill for an act	

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	entitled: "An act providing for a referendum to be submitted to the electors in November 1973 for amending Section 93-9902, R.C.M. 1947; and removing the provision that mining, extraction of ores, metals, or minerals owned by one person, located beneath or upon the surface of property owned by another person is a public use in behalf of which the right of eminent domain may be exercised." ....	189, 190, 368
357	Introduced by Lee, McKittrick, Lynch: A bill for an act entitled: "An act amending Section 87-106, R.C.M. 1947, to exempt from disqualification an individual who leaves his employment because of illness or to accept better employment; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947."	190, 436, 463, 510, 547, 579, 1011, 1038, SA-1947, 1050, S-14, 54, 55, 56, 66, 80, 103, 155, 164
358	Introduced by Lynch, McKittrick, Lee: A bill for an act entitled: "An act to amend Section 87-106, R.C.M. 1947, changing the amount of disqualifying retirement income; and providing amendments to conform with reorganization as required in Title 82A, Chapter 10, R.C.M. 1947." .....	190, 436, 510, 570, 606, 607, 1012, S-25, 36, 37, 42, 127
359	Introduced by Baeth, Turner, Zimmer, Turman, Marbut, Seifert, Shelden: A bill for an act entitled: "An act to provide a means by which counties could determine the existence and location of taxable property for assessment purposes." .....	190, 556, 570, 624, 626, 654, 990
360	Introduced by Marbut, Holmes, Turner, Turman, Castles, McKittrick, Bennetts: A bill for an act entitled: "An act providing that parents of long-term patients at institutions administered by the Division of Mental Hygiene and the Division of Mental Retardation of the Department of Institutions are liable only to the extent of the cost of caring for a normal child at home as determined from standard sources by the Department of Institutions." .....	198, 443, 484, 535, 547, 583
361	Introduced by Bell and Bardanouve: A bill for an act entitled: "An act to amend Section 84-4905, R.C.M. 1947, to exempt retirement income of military personnel and policemen and firemen retirement benefits income from adjusted gross income."	198



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362	Introduced by Marks, Zimmer: A bill for an act entitled: "An act amending the Volunteer Firemen's Pension Plan under the Volunteer Firemen's Compensation Act; amending Section 11-2022 and Section 11-2023, R.C.M. 1947; and providing an effective date." .....	198, 267, 276, 313, 315, 342, 725, 789, SA-827, 884, 896, 897, 924, 990
363	Introduced by Gunderson, Murphy, Towe, Cox, Lucas: A bill for an act entitled: "An act amending Section 75-8702, R.C.M. 1947, providing that residency status of students may be determined by authority of the regents." .....	198, 417, 462, 473, 485, 528, 1033, S- 25, 37, 42, 138
364	Introduced by Bardanouve, Edland, Jacobsen, Burnett: A bill for an act entitled: "An act to amend Section 84-1855, R.C.M. 1947, relating to the refund of gasoline license tax on gasoline used off the public highways by establishing a procedure to be followed by the claimant and the Department of Revenue in estimating the amount of the gasoline license tax refund; and by prescribing records of use to be kept by claimants who do not elect to estimate the amount of gasoline tax to be refunded." .....	198, 439, 511, 535, 593, 607, 817, 884, 886, 896, 990
365	Introduced by Norman: A bill for an act entitled: "An act to amend Section 4-322, R.C.M. 1947, forbidding beer wholesalers from selling beer to the public." .....	198, 556, 564, 611, 625, 632, 894, 975, 1029, 1030, S-3, 30
366	Introduced by Regan and Hall: A bill for an act entitled: "An act relating to the assignability of consumer paper." .....	198, 317, 366, 427, 431, 476
367	Introduced by Regan and Bardanouve: A bill for an act entitled: "An act prohibiting the use of chain distributor schemes; and providing a penalty." .....	198, 317, 330, 363, 389, 424, 425, 862, 918, 922, 935, 992, 1056, S-17, 73, 76, 77, 99, 190
368	Introduced by Schye, Halvorson, Prevost, Schepens, Jones, Marks, Walborn: A bill for an act entitled: "An act requiring all owners, stockholders, mortgagees and their spouses to be fingerprinted when	

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	applying for a new liquor license or for the transfer of a liquor license." .....	198, 199, 236, 237, 319, 418, 419, 429, 461, 471, 502, 538, 562, 563, 594, 622, 839, 880, 883, 895, 904, 1002, SA-1003, 1005, 1031, 1035, S-80, 81, 103, 147, 155
369	Introduced by Lee, Lynch, Lockrem, Cox, Lombardi, Healy, McKittrick, Quilici, Mehrens, Kosena, Menahan: A bill for an act entitled: "An act amending Section 66-2804, R.C.M. 1947, providing for Board of Electricians' per diem expenses." .....	199, 366, 367
370	Introduced by Edland: A bill for an act entitled: "An act amending Section 84-4919, R.C.M. 1947, to allow individual tax payers an automatic two (2) month extension of time for filing income tax returns; and providing an effective date." .....	199, 336, 347, 381, 389, 425, 840
371	Introduced by Kimble, Bennetts, Watt, H. Harper, Bradley, Edland, Norman, Murphy, Regan, Holmes: A bill for an act entitled: "An act creating the Montana Traffic Safety Act of 1973; requiring the construction of footpaths and bicycle trails in certain cases; and permitting their construction in certain other cases." .....	199, 494
372	Introduced by Bennetts, Bardanouve, Kimble, Tierney: A bill for an act entitled: "An act providing procedures within the Department of Labor and Industry that will enable women to reach their fullest potential of service and contribution to society." ....	199, 348, 366, 427, 518, 560, 1011 1038, SA-1047, S-73, 76, 77, 99, 190
373	Introduced by Edland, Gunderson, Fleming, R. Harper, Jacobsen, Brown, Murphy, Prevost, Brand, Bennetts: A bill for an act entitled: "An act amending Section 14-417, R.C.M. 1947, to provide for association approval of marketing contracts; and excluding agricultural associations formed under the Cooperative Marketing Act from the provisions of Section 94-1104, R.C.M. 1947." .....	199, 389, 408, 461, 480, 506, S-7, 19, SA-34, 76, 77, 99, 190
374	Introduced by Schye: A bill for an act entitled: "An act to amend Section 8-131, R.C.M. 1947, to provide that affidavits or other evidence as the board may determine must accompany applications for tem-	

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	porary authority to specify in detail reasons for supporting the application for temporary authority and the term within which the temporary authority would be required; and providing an effective date."	208, 494, 518, 592, 625, 632, 767, 789, SA-827, 828, 896, 897, 924, 1010
375	Introduced by Fasbender: A bill for an act entitled: "An act to repeal Sections 84-1001 through 84-1010, R.C.M. 1947, relating to a tax on production of carbon black." .....	209, 628, 641, 682, 685, 717, 1012, S-15, 22, 23, 42, 127
376	Introduced by Hall, Lucas: A bill for an act entitled: "An act relating to validation of judicial sales prior to January 1, 1973, of real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or references in sheriffs' deeds." .....	209, 266, 276, 313, 315, 342, 710, 764, 765, 766, 801, 888
377	Introduced by Hall, Lucas: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described; providing that this act may be cited as 'The 1973 Bond Validating Act'; containing a repealing clause; and providing an effective date." .....	209, 266, 276, 313, 315, 342, 343, 710, 776, 799, 834, 928
378	Introduced by Hall, Lucas: A bill for an act entitled: "An act to validate records of court proceedings prior to January 1, 1973, containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired; providing that duly certified copies of such judgment or decree may be read in evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered." .....	209, 266, 276, 313, 315, 343, 710, 776, 799, 834, 928
379	Introduced by Hall, Lucas: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged prior to January 1, 1973: imparting notice by recording thereof; and providing that duly certified copies thereof may be read in evi-	

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	<p>dence with like effect as copies of an instrument duly acknowledged and recorded." .....</p>	<p>209, 266, 276, 313, 315, 343, 710, 776, 799, 834, 928</p>
380	<p>Introduced by Hall, Lucas: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property made by trustees, executors, administrators and guardians prior to January 1, 1973, curing defects and irregularities in such sales." .....</p>	<p>209, 266, 276, 313, 315, 343, 344, 710, 764, 765, 766, 801, 888</p>
381	<p>Introduced by Hall, Lucas: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county or any property in which such county had or claimed any right, title or interest, and all instruments or transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, all right, title and interest of the county in and to the property described or covered." .....</p>	<p>209, 266, 276, 313, 315, 344, 710, 776, 798, 799, 834, 928</p>
382	<p>Introduced by Hall, Lucas: A bill for an act entitled: "An act validating deeds and conveyances made prior to January 1, 1973, which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors." .....</p>	<p>209, 266, 276, 313, 315, 344, 710, 764, 765, 766, 801, 888</p>
383	<p>Introduced by Baeth (by request): A bill for an act entitled: "An act amending Section 11-1909, R.C.M. 1947, to provide for a mandatory mill levy to equip and support one (1) or more volunteer fire departments, in any city or town which does not have a paid fire department and providing an effective date." .....</p>	<p>209, 318</p>
384	<p>Introduced by Tierney, Brown: A bill for an act entitled: "An act to require safe deposit companies, trust companies, corporations, banks, and other similar institutions to inventory the contents of a safety deposit box or similar receptacle of a deceased person before allowing the contents to be removed by any person, and to provide a penalty for violation of the act." .....</p>	<p>210, 333, 334</p>
385	<p>Introduced by Marbut, Lucas, Warfield, Cox, Sheldon Gunderson: A bill for an act entitled: "An act entering the State of Montana into the Compact for Education and providing for an Education Council." .....</p>	<p>210, 335, 366, 428, 484, 528, 529</p>



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386	Introduced by Marbut, Haines, Warfield, Holmes, Hall, Cox, Gunderson, Greely, McKittrick, Hodges. A bill for an act entitled: "An act to amend Sections 75-7801, 75-7805 and 75-7813, R.C.M. 1947, to expand the definition of handicapped to include educationally handicapped children and to require mandatory special education services; and to repeal Sections 75-7806, 75-7807, and 75-7812, R.C.M. 1947."	210, 442, 463, 510, 535, 547, 585
387	Introduced by Fagg: A bill for an act entitled: "An act to be known as the "Manufactured Building Act of 1973"; establishing a building code council; providing for procedures and rules establishing a standards and requirements for manufactured buildings and building components; providing for the Department of Law Enforcement and Public Safety to administer the act; providing penalties and fees; and repealing Sections 69-2104 through 69-2120, R.C.M. 1947."	210, 391
388	Introduced by Kosena: A bill for an act entitled: "An act to amend Section 82-808, R.C.M. 1947, allowing the state apiarist to set beekeeper registration fees commensurate with the costs of services rendered under Chapter 8, Title 82, R.C.M. 1947."	210, 523
389	Introduced by Hageman, Zimmer: A bill for an act entitled: "An act amending Section 11-403, R.C.M. 1947, relating to the extension of boundaries of cities and towns to include contiguous platted tracts or other parcels of land; deleting the term "resident" in reference to the parties who may disapprove such extension by cities or towns of the first class; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	210, 407, 833
390	Introduced by Kimble, Norman, Hodges: A bill for an act entitled: "An act to regulate security deposits required by a landlord of residential premises for damages or nonpayment of rent or performance of a written or oral lease."	210, 368
391	Introduced by Bennetts, Kimble, Murphy, Huennekens: A bill for an act entitled: "An act providing for the termination of all surface coal mining to implement a compelling state interest and concern over the inadequacies of existing surface mining technology and knowledge relating to coal development; and providing a penalty."	210, 482, 483, 484
392	Introduced by Lynch, Quilici, Lee, Lombardi, Healy, R. Harper, Menahan: A bill for an act entitled: "An act directing the State Board of Land Commissioners to reconvey to the City of Butte certain land in the City of Butte; and providing an effective date."	210, 318, 330, 363, 408, 458, 949, 993, SA-1023, S-15, 23, 42, 127

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393	Introduced by Brand: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to increase the period of a report on or prior to the fifteenth day of January of each year; and providing for an effective date." .....	210, 211, 352, 366, 428, 462, 476, 894, 924, 935, 941, 942, 1058
394	Introduced by Laas, Tierney: A bill for an act entitled: "An act to create a State Banking Board within the Department of Business Regulation and to prescribe its powers, duties and responsibilities." .....	211, 352, 366, 428, 431, 991, 1037, SA-1043, S-41, 61, 62, 98, 158
395	Introduced by Fagg (by request): A bill for an act entitled: "An act to amend Section 94-2721, R.C.M. 1947, establishing a presumption that the receiver of stolen property knew it was stolen if it was obtained outside the regular course of business and for a price disproportionate to actual retail value." .....	211, 368
396	Introduced by Towe: A bill for an act entitled: "An act to amend Section 16-2050, R.C.M. 1947, to permit investment of county, school district and county high school moneys under the State Unified Investment program; and providing an effective date." .....	211, 285, 521, 564, 610, 625, 632, 633, 1059, S-41, 61, 62, 98, 158
397	Introduced by Towe: A bill for an act entitled: "An act amending Section 79-201, R.C.M. 1947; adding a new general fiscal duty for the State Treasurer relative to deposit of securities; and providing an effective date." .....	211, 253, 347, 381, 389, 425, 894, 935, 941, 942, 1058
398	Introduced by Towe: A bill for an act entitled: "An act to amend Section 84-401, R.C.M. 1947, relating to assessment of property at full cash value." .....	211
399	Introduced by Bell, Brand: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to Montana residents receiving the Vietnam Service Medal in military service during the Vietnam war between August 5, 1964, and a date to be announced by the United States government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund nine million nine hundred fifty thousand dollars (\$9,950,000) for the payment of such honorarium and adjusted compensation and the administration of the law." .....	211
400	Introduced by Mercer, Glennen, Cox, Greeley: A bill for an act entitled: "An act amending Section 8-	

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	118, R.C.M. 1947; requiring every motor carrier to file with the Public Service Commission a report on or prior to the fifteenth day of January of each year; and providing for an effective date." .....	211, 212, 439, 463, 510, 547, 579, 767, 789, SA-828, 896, 925, 935, 940, 1010
401	Introduced by Glennen, Cox, McKittrick, Menahan, Greely: A bill for an act entitled: "An act amending Section 11-1825, R.C.M. 1947, increasing the deduction from the compensation of active police officers from three percent (3%) to five percent (5%) for the payment of reserve police officers." .....	212, 350, 351, 389, 427, 428, 430, 460, 547
402	Introduced by Greely, Mercer, Kessner, Rolfe, Warfield, Cox, Roberts, Glennen, R. Harper, Regan, Turman, Huennekens, Holmes, Kendall, Driscoll, Bennetts, Aageson, Baucus, Menahan: A bill for an act entitled: "An act to permit newsmen to refuse to disclose news sources." .....	212, 332, 333, 370, 428, 452, 471, 472, 508, 509, 593, 607, 894, 1000, 1029, 1030, S-3, 74
403	Introduced by Greely, Glennen: A bill for an act entitled: "An act creating a Division of Training Coordination within the Department of Law Enforcement and Public Safety; providing that the administrator of the division be appointed by the Board of Directors of the Montana County Attorneys Association; and providing for the functions of the division." .....	212, 287, 288, 347, 381, 389, 894, 932, SA-963, 1050, 1051, S-13, 127
404	Introduced by Driscoll, Roberts: A bill for an act entitled: "An act amending Section 84-5606.9, R.C.M. 1947, to prohibit sale of unstamped cigarettes by a Montana dealer to an out-of-state dealer who is not licensed by the state in which the dealer is doing business; and providing an effective date." .....	212, 391, 425, 426, 429, 431, 485, 529, 894, 940, 1008, 1009, 1028, S-74
405	Introduced by Schye: A bill for an act entitled: "An act amending Section 11-403, R.C.M. 1947, providing that cities and towns may annex lands used in whole or in part for agricultural, mining, smelting, refining, transportation, industrial, manufacturing, recreation or any other purpose not otherwise provided; defining resident freeholder; and repealing Section 11-509, R.C.M. 1947." .....	212, 438, 463, 510, 533

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406	Introduced by Edland, Jacobsen, Lien, Murphy: A bill for an act entitled: "An act to amend Section 53-106.1, R.C.M. 1947, to provide that any motor vehicle more than thirty (30) years old may be registered as a pioneer vehicle." .....	227, 439, 463, 510, 547, 580, 991, 1037, SA-1044, S-41, 61, 62, 98, 158
407	Introduced by Swanberg, Greely, Ulmer, Tierney, Kolstad, McKittrick: A bill for an act entitled: "An act amending Section 84-1504, R.C.M. 1947, relating to the computation of license tax, by adopting the federal income tax taxable year used by corporations as the taxable period for Montana corporation license tax return purposes; by providing for one (1) signature on returns instead of two (2); by providing definitions of "doing business" and "engaging in business"; by providing language to clarify the terms "gross income" and "net income"; and providing an effective date." .....	227, 571, 593, 624, 626, 1012, S-15, 22, 23, 42, 127
408	Introduced by Lien, Lund, Jacobsen, Edland, Cotton, Hageman, Glennen: A bill for an act entitled: "An act to amend Section 8-101.2, R.C.M. 1947, exempting from the Motor Carrier Act any commercial transportation movement of livestock in any motor vehicle of twenty-two (22) feet in length or less." ..	227, 400, 429, 461, 485, 529, 654, 769, 884, 885, 886, 896, 1010
409	Introduced by Schye, Seifert, Turman, Marbut, Holmes, Marks, Bennetts: A bill for an act entitled: "An act amending Sections 4-403, 4-407, 4-407.1, 4-408 and 4-410, R.C.M. 1947, to require new and transferred liquor licenses to be approved by the county commissioners and by the governing body of the incorporated town or city where the license is to be used in addition to the Montana Liquor Board." .....	227, 237, 438, 463, 510, 533, 547, 580, 1011
410	Introduced by Marbut (by request): A bill for an act entitled: "An act to amend the law on nepotism to permit employment of a person on merit without regard to relationship; and amending Sections 59-519 and 59-520, R.C.M. 1947." .....	227, 367
411	Introduced by Bradley, Greely, Lundgren: A bill for an act entitled: "An act amending Section 93-601-2, R.C.M. 1947, to include nondisclosure of any information within the protections afforded newsmen's sources of information." .....	227, 333
412	Introduced by Marbut, Healy, Castles, Brown, Fagg,	



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	Towe, Holmes, Hall, Driscoll: A bill for an act entitled: "An act expanding duties and services of the Division of Mental Retardation of the State Department of Institutions by establishing and conducting developmental disabilities clinics and community comprehensive developmental disabilities centers; creating regional developmental disabilities boards; providing for the organization thereof; defining the duties of regional developmental disabilities boards; authorizing the participation of the Division of Mental Retardation of the State Department of Institutions in contractual or cooperative arrangements with regional developmental disabilities boards and others; providing the Division of Mental Retardation and the Regional Developmental Disabilities Boards the authority to receive gifts, grants, donations, and any other form of support and enabling counties participating in regional developmental disabilities programs to use tax moneys to finance the programs of prevention diagnosis and treatment of developmental disabilities; giving the Division of Mental Retardation of the State Department of Institutions general supervisory power and control over all public developmental disabilities programs in the State of Montana." .....	227, 228, 442
413	Introduced by Marbut, Healy, Bennetts, Towe, Castles, H. Harper: A bill for an act entitled: "An act providing needed community services and facilities for the developmentally disabled within Montana; providing an appropriation; and creating the 'Montana Developmental Disabilities Community Services Act of 1973'." .....	228, S-180
414	Introduced by Lucas, Kolstad, Lockrem, Cox, Kvaalen, Ulmer, Warfield, Rolfe, Lundgren: A bill for an act entitled: "An act to allocate the state share of federal revenue sharing funds for property tax relief to Montana homeowners." .....	228, 764
415	Introduced by Lundgren: A bill for an act entitled: "An act providing for educational courses for applicants of real estate broker's and salesman's licenses; providing for continuing real estate education for brokers and salesmen; providing for the administration of this act; and providing for an effective date." .....	228, 486
416	Introduced by Murphy: A bill for an act entitled: "An act to amend Section 23-3101, R.C.M. 1947, relating to election precincts, by providing that county commissioners may change precinct boundaries in the years in which general biennial elections are held, when such changes are required to conform to a reapportionment plant." .....	228, 300, 330, 363, 389, 426, 726, 789, SA-828, 884, 885, 886, 896, 946
417	Introduced by Lucas, Johnston, Stephens, Manuel,	

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	Kvaalen, Huennekens: A bill for an act entitled: "An act authorizing the Department of Fish and Game to establish checking stations and requiring hunters and fishermen to stop at such stations and report game in their possession." .....	228, 401, 402, 431, 473, 529, 530, 863, 935, 941, 942, 1058
418	Introduced by Tierney: A bill for an act entitled: "An act amending Section 66-803, R.C.M. 1947, to change the requirement of an applicant taking an examination to practice cosmetology from a graduate of the eighth grade to a graduate of high school or possess an equivalent of a high school diploma recognized by the State Superintendent of Public Instruction." .....	228, 391, 392, 485
419	Introduced by Tierney: A bill for an act entitled: "An act amending Section 67-2206, R.C.M. 1947, by specifying that all intangible personal property of business associations unclaimed at time of final distribution is presumed abandoned." .....	228, 369, 389, 429, 462, 477, 862
420	Introduced by Tierney: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to specifically provide that the deductions for depreciation and obsolescence shall in all cases be determined according to the provisions of the Internal Revenue Code in effect for the taxable year; and providing an effective date." .....	228, 336, 347, 381, 408, 458, 894, 940, 1008, 1009, 1028, S-74
421	Introduced by Tierney: A bill for an act entitled: "An act to amend Section 66-1503, R.C.M. 1947, to increase the Board of Pharmacists to five (5) members from three (3) members, each appointed for a five (5) year term, and to require that one member be employed at a hospital." .....	228, 545
422	Introduced by Shelden: A bill for an act entitled: "An act amending Section 11-2702, R.C.M. 1947, to allow a city or town governing body to extend the application of its zoning or subdivision regulations beyond its corporate limits where there is a City-County Planning Board if other prerequisites are met." .....	228, 229, 319, 330, 364, 389, 426, 990, 1050, S-13, 14, 24, 127
423	Introduced by Towe, Marbut, R. Harper, Greely, Holmes, Glennen, Huennekens, Colberg: A bill for an act entitled: "An act providing for nonprofit organizations to establish community homes for the developmentally disabled, and providing author-	

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	ity to the Department of Institutions to make rules and regulations for the operation of the homes." ....	229, 567, 568, 593, 624, 670, 906, 932, SA-964, S-3, 13, 14, 24, 127
424	Introduced by Shelden: A bill for an act entitled: "An act amending Sections 11-3801, 11-3803, 11-3825 and 11-3842, R.C.M. 1947; to require, subject to public review, the creation of County Planning Boards; to expand the definition of "Planning Board" to include County Planning Boards; to establish a uniform mill levy ceiling for City and County Planning Boards; and eliminating certain procedural requirements for the filing of subdivision plats." .....	229, 406, 462, 473, 511, 534, 537, 593, 607, 608
425	Introduced by Selstad: A bill for an act entitled: "An act amending Section 84-1831, R.C.M. 1947, to delete liquid petroleum gases from the definition of special fuel; and amending Section 84-1832.1 R.C.M. 1947, to remove reference to liquid petroleum gas." .....	229, 488, 518, 587, 594, 622, 768, 775, 950
426	Introduced by Kendall, Aageson: A bill for an act entitled: "An act to amend Section 31-129, R.C.M. 1947, permitting a driver education student to obtain an instruction permit; and providing limitations." .....	229, 399, 429, 461, 480, 506, 905, 935, 941, 942, 1058
427	Introduced by Zimmer, Castles, Halvorson, Norman: A bill for an act entitled: "An act to amend Section 71-1516, R.C.M. 1947, to include adopted children who have been defined as "hard-to-place" within eligibility requirements for medical assistance; and to provide financial assistance to the adoptive parents of "hard-to-place" children." .....	229, 545, 570, 624, 626, 654, 655, 929, 976, 1029, 1030, S-3, 51
428	Introduced by Yardley, Gunderson, Cotton, Fasbender, Hall: A bill for an act entitled: "An act requiring counties to levy the same basic tax for foundation program support and to deposit surplus funds in the state equalization aid account; providing an increased level of state participation in the deficiency and permissive levies funding the maximum-budget-without-a-vote of elementary and secondary school districts; providing a limitation on school district budget increases; and amending Sec-	

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	tions 75-6912, 75-6913, 75-6916, 75-6921, 75-6922 and 75-6923, R.C.M. 1947." .....	229, 297, 495, 538, 562, 587, 593, 608, 906, 932, SA-964, 1050, 1051, S-13, 127
429	Introduced by Glennen, Barrett, Tierney: A bill for an act entitled: "An act to amend Section 31-120, R.C.M. 1947, providing for the classification of drivers' licenses according to the size of vehicle driven by revising the definition of operator and chauffeur." .....	229, 409, 410, 463, 510, 534
430	Introduced by Bell: A bill for an act entitled: "An act providing for the definition of the words "buy and sell"; providing that any "buy and sell" agreement consisting substantially of the transportation of persons or commodities for hire upon the public highways of the state is not a "buy and sell" agreement and is a transportation movement for hire upon the public highways of the state; amending Section 8-101, R.C.M. 1947; and providing for an effective date." .....	229, 439
431	Introduced by Greely, McKittrick: A bill for an act entitled: "An act to amend Section 41-1304, R.C.M. 1947, by increasing the statute of limitations for an employee to recover penalties from six (6) months to three (3) years for willful violations and two (2) years for other violations of the payment of wages provisions in Chapter 13, Title 41, R.C.M. 1947." .....	229, 230, 348, 366, 428, 431, 477, 710, 727, 736, 779, 815, 816, 839, 896, 925, 935, 940, 1010
432	Introduced by Cotton: A bill for an act entitled: "An act amending Section 75-6906, R.C.M. 1947, raising the percentage of the school foundation program to the maximum-budget-without-a-vote from eighty percent (80%) to ninety percent (90%)." .....	230, 1030
433	Introduced by Seifert, Cox: A bill for an act entitled: "An act to provide that those persons retiring under the Teachers' Retirement System between June 30, 1969, and June 30, 1971, receive the same increase in retirement allowance as those receiving a retirement allowance on June 30, 1969, received under the 1971 amendment to the retirement system law; amending Section 75-6208, R.C.M. 1947; and providing an effective date." .....	230, 334, 335
434	Introduced by Glennen, Holtz: A bill for an act entitled: "An act to amend Section 8-104.5, R.C.M. 1947, providing that upon the filing of a change or revision of any rate, fare, charge, classification or rule of service by filing tariff sheet or sheets, every motor carrier must submit prepared testimony and exhibits to support such changes or revisions;	



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	providing that the complaint of any interested party may be filed with the board within thirty (30) days, and after the date of filing such changes or revisions; providing that the board may suspend the operation of such rate, fare, charge or classification for a period not to exceed one hundred eighty (180) days; and providing an effective date." .....	230, 497, 570, 624, 626, 655, 817, 884, 886, 896, 1010
435	Introduced by Glennen, Holtz: A bill for an act entitled: "An act amending Section 8-102, R.C.M. 1947, providing that Class C carriers distributing, delivering or collecting wares, merchandise or commodities, or transporting persons, shall do so under six (6) contracts, charters, agreements or undertakings or less annually; that every Class C motor carrier providing such transportation service by means of more than six (6) contracts, charters, agreements or undertakings shall be deemed providing common carriage and shall operate under a Class B motor carrier certificate in lieu of such Class C certificate; that all Class C motor carriers must submit to this commission the names and addresses of all persons, firms, corporations or other legal entity with whom the said Class C carrier has executed a contract, agreement, or undertaking for the distribution, delivery or collection of wares, merchandise or commodities, or transporting persons; and providing for an effective date." .....	230, 440, 463, 510, 547, 580, 769, 832, 848, 946
436	Introduced by Glennen, Lien: A bill for an act entitled: "An act providing that every motor carrier may petition the commission to suspend its intrastate operating authority for a period not to exceed six (6) months; providing that an additional six (6) months' suspension may be requested and granted, but no other; that such suspension be granted upon a showing of present absence of public convenience and necessity or other showing of matters affecting motor carrier transportation; and providing an effective date." .....	230, 400, 431, 473, 485, 530, 769, 848, 854, 855, 884, 946
437	Introduced by Fasbender: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to eliminate the deduction allowed for interest income derived from obligations of the State of Montana or any political subdivision or municipality thereof, and for income taxes; and providing an effective date." .....	230, 812, 834, 881, 890
438	Introduced by Glennen, Barrett, Healy, Cox, R. Harper, Tierney, Hodges, Hager, Gerke, Mercer: A bill for an act entitled: "An act to provide that county	

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	attorneys in counties of the first or second class receive a salary equal to that of a district judge and be prohibited from engaging in private practice; and amending Sections 25-605 and 16-2418, R.C.M. 1947." .....	231, 368, 369
439	Introduced by Baucus, Bardanouve, Marbut, Turman, Bradley, Cotton, Gunderson, Gerke, Watt, Bennetts, Ainsworth, Haines, Norman, Kimble, Kosena, Mehrens, Lynch, Hageman, Towe: A bill for an act entitled: "An act creating the office of Montana Citizens' Advocate to provide representation of citizen problems before state agencies." .....	231, 446, 447, 448, 518, 610, 625, 633
440	Introduced by Lee (by request): A bill for an act entitled: "An act relating to the Board of Electricians; amending Section 66-2804, R.C.M. 1947, increasing the number of members of said board, increasing their terms of office and changing the manner of their selection." .....	242, 519, 593, 624, 656, 657, 685, 712, 949, S-3, 35, 37, 61, 127
441	Introduced by Lee (by request): A bill for an act entitled: "An act relating to the Electrical Safety Act; amending Section 66-2812, R.C.M. 1947, relating to exemptions of coverage of the act pertaining to electrical utility companies, individuals doing electrical work on their own premises and cities' signal and communications equipment." .....	242, 391, 429, 461, 462, 518, 560, 1033, 1038, SA-1048, S-41, 61, 62, 98, 158
442	Introduced by Forsgren, Mehrens, Marks, Gunderson: A bill for an act entitled: "An act to provide procedures for fire drills in schools; and repealing Section 75-8308, R.C.M. 1947." .....	243, 521, 522, 564, 611, 641, 655, 991, 1037, SA-1044, S-41, 61, 62, 98, 158
443	Introduced by Baucus: A bill for an act entitled: "An act granting free tuition in state-supported schools to children of prisoners of war or military personnel listed as missing in action." .....	243, 521
444	Introduced by Swanberg, McKittrick, Lynch: A bill for an act entitled: "An act to amend Section 41-701, R.C.M. 1947, by including services in public labor for which Montana residents are to be preferred." .....	243, 436, 463, 510, 547, 583, 1012, S-15, 22, 23, 42, 127

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445	Introduced by Kimble, Hodges, Bennetts: A bill for an act entitled: "An act to make unlawful the discharge of an employee without just cause or to discriminate against an employee because he has made complaint or instituted a proceeding under the law." .....	243, 586, 614, 640, 659, 670, 906
446	Introduced by R. Harper, Greely, Bell, Castles, Baucus, Hall, Yardley, Fashbender, Swanberg, Kimble, Gunderson, Tierney, Cox, Towe, Glennen, McKitt-trick: A bill for an act entitled: "An act to permit counties within a judicial district to create the office of district attorney in lieu of county attorneys." ....	243, 369, 408, 461, 485, 530, 840
447	Introduced by R. Harper, Greely, Haines, Gunderson, Cox, Lucas, Clemow, Bell, Hodges, Staigmillier, Tierney, Bennetts, Bradley, Kendall, Turman, H. Harper, Murphy, Lynch, Brand, Marbut, Schepens, Prevost, Castles, Campbell, Marks, Hall, Yardley, McKittrick, Fashbender, Norman, Baucus, Kimble: A bill for an act entitled: "An act amending Sections 68-708, 68-801, 68-901, and 68-902, R.C.M. 1947, relating to the Public Employees Retirement System to provide for retirement of a member upon completion of thirty (30) years or more of service without regard to age; payment after July 1, 1974, of accrued interest upon withdrawal of a member's contributions; qualification of military service for calculating retirement benefits; a cost-of-living adjustment for retired members; and deletion of the money purchase method of calculating retirement benefits as to a person becoming a member after July 1, 1973." .....	243, 369, 467, 468
448	Introduced by Fagg, Smith, Walborn, Galt, Schye, Hager, Lien, Swanberg, Staigmillier: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, to establish livestock in feed lots as a new class for the purpose of property taxation; and to provide a percentage of full and true value as the basis for the taxation." .....	243, 648, 659, 701, 711
449	Introduced by Edland, Tierney: A bill for an act entitled: "An act reorganizing the Department of Agriculture; amending Section 82A-302, 82A-303, 82A-402, 82A-403, 82A-406, 82A-2103, R.C.M. 1947, and repealing Sections 82A-1301 through 82A-1304, R.C.M. 1947." .....	243, 897
450	Introduced by McKittrick, Swanberg: A bill for an act entitled: "An act to amend Section 41-1301, R.C.M. 1947, excluding contributions to tax exempt trust from definition of wages." .....	243, 586
451	Introduced by Turman, Greely, Marbut, Bennetts: A bill for an act entitled: "An act to amend Sections 54-129, 54-133 and 54-138, R.C.M. 1947, to remove	

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	marijuana from definition of dangerous drugs; and to provide penalties for criminal possession and sale of marijuana." .....	243, 431, 432, 433, 434
452	Introduced by Johnston, Stephens, Huennekens, Hager, Kvaalen: A bill for an act entitled: "An act to provide for the establishment of a license fee for issuance of special licenses by State Fish and Game Commission in the absence of other license fees prescribed by law; and amending Section 26-202.2, R.C.M. 1947." .....	244, 402, 929
453	Introduced by Marbut, McKittrick: A bill for an act entitled: "An act to revise and codify the law relating to the adoption of adults or of minors; to discourage black market adoptions; to provide for investigations and standards in passing a petition for adoption; to provide for the effect of adoption decrees; to repeal Sections 61-139, 61-140, 61-201 through 61-218; and to amend Section 69-4420, R.C.M. 1947." .....	244, 491, 492, 564, 610, 633, 817
454	Introduced by Yardley, Hall, Lucas, Cox, Glennen: A bill for an act entitled: "An act amending Section 4-240, R.C.M. 1947; providing a four percent (4%) tax on wine with proceeds to be used for the Police Pension and Sheriffs' Pension Funds." ....	244, 647
455	Introduced by Gerke: A bill for an act entitled: "An act to amend Sections 79-410 and 79-415, R.C.M. 1947, to modify revolving fund appropriation restrictions." .....	244, 488, 570, 624, 626, 655, 656, 905, 1007, 1029, 1030, S-3, 74
456	Introduced by Lee (by request): A bill for an act entitled: "An act relating to the Electrical Safety Law; and amending Section 66-2802, R.C.M. 1947, relating to the purpose of the act to establish the National Electrical Code as a minimum approved safety standard to provide procedures for establishing standards more stringent than the National Electrical Code." .....	244, 545, 564, 611, 625, 633, 634, 1033, 1038, SA-1048, S-41, 61, 62, 98, 158
457	Introduced by Bennetts, Jacobsen, Marbut, Seifert: A bill for an act entitled: "An act to appropriate money to the Department of Social and Rehabilitation Services for the construction and operation of a multi-purpose orientation center for the adult blind in Montana by the Visual Services Division." .....	244, 668, S-121, 152
458	Introduced by Norman, Baucus, Quilici: A bill for an	



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	act entitled: "An act relating to the Workmen's Compensation Act; amending Section 92-418, R.C.M. 1947, relating to the definition of "injury" or "injured" to provide for broadened coverage for firemen; and providing for an effective date." .....	244, 482, 518, 591, 594, 622, 623, S-7, 19, SA-34, 99, 108, 121
459	Introduced by Marks, Halvorson: A bill for an act entitled: "An act to change the name of the Department of Law Enforcement and Public Safety to the Department of Justice; amending Sections 82A-104, 82A-202, 82A-703, 82A-802, 82A-803, 82A-1201, 82A-1202, 82A-1203, 82A-1205, 82A-1602 and 82A-1605, R.C.M. 1947; adding a new Section; and providing an effective date." .....	244, 349, 370, 428, 462, 477, 478, 769, 896, 897, 924, 1058
460	Introduced by Cox, Lucas, Kvaalen, Nichols, Glennen Lund, Warfield: A bill for an act entitled: "An act to create revenue from the levy of a severance tax on coal for the purpose of support of county government, the Department of Lands, the Environmental Quality Council, and the Department of Natural Resources, and for the development of parks and recreation; repealing Section 84-1302, R.C.M. 1947; and providing an effective date." .....	244
461	Introduced by Baucus, Haines, Ainsworth, Hodges, Turman, Greely, McKittrick, Schye, Murphy: A bill for an act entitled: "An act to provide for creation of joint tenancies with right of survivorship and subsequent transfer of property in the tenancy at the death of a spouse without court intervention." .....	244, 245, 489, 570, 624, 626, 656
462	Introduced by Edland, Fagg: A bill for an act entitled: "An act requiring the registration of certain aircraft and imposing a license tax thereon in lieu of all other taxes." .....	255, 642, 667, 701, 725, 772, 990
463	Introduced by H. Harper, Greely, Gunderson, Bradley Swanberg, Huennekens, Bennetts, Castles, Turman Shelden: A bill for an act entitled: "An act providing for abortion in the State of Montana and further providing the conditions under which an abortion may be performed; providing penalties and repealing Sections 94-401 and 94-402, R.C.M. 1947." .....	255, 564, 565, 566, 593, 611, 641, 651, 711, 712, 718, 723, 724, 765, 1059, S- 11, 23, 24, 53, 81, 82, 92, 93, 95, 97, 98, 117, 118, 129, 139, 167, 170, 174, 175, 182, 184

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464	Introduced by Kessner: A bill for an act entitled: "An act to authorize the use of physician's trained mobile intensive care paramedics under certain conditions; to provide for immunity from civil liability under emergency conditions and to require the Board of Medical Examiners to establish rules and regulations for the use of physician's trained mobile intensive care paramedics." .....	255, 545, 546
465	Introduced by Baucus, Norman, Bennetts, Driscoll: A bill for an act entitled: "An act to amend Sections 69-5001, 69-5002, 69-5003 and 69-5005, R.C.M. 1947, by broadening the statement of public policy to include air pollution prevention, solid waste disposal and to refer to quality of water for all uses; revising the definition of subdivision; adding other definitions; revising the provisions for making rules and standards; requiring approval of subdivision plats and plans and specifications by Local Planning Board and Department of Health before filing with County Clerk and Recorder; providing for referral and review of proposed subdivisions by appropriate agencies; providing for enforcement proceedings and hearings on alleged violations; providing remedies and sanctions relating to violations; providing for use of records and cooperation of other agencies; and providing for effect of invalidity of part of act." .....	255, 406, 431, 473, 518, 561, S-156, 159, SA-173, 188, 190
466	Introduced by Marks, H. Harper, Cotton, Gunderson, Castles, Bell: A bill for an act entitled: "An act amending Sections 75-6317, 75-7201 and 75-7202, R.C.M. 1947, to repeal the elementary and high school tuition schedules; and to establish the annual calculation of a high school district's tuition rate on the basis of actual expenditures." .....	255, 521, 564, 610, 625, 634
467	Introduced by Swanberg, Haines, Ulmer, Greely: A bill for an act entitled: "An act to be known as the "Montana Kitchen and Table Wine Act"; providing for wholesaling of kitchen and table wine and the retail sale thereof by licensees; providing a state tax on such wine; requiring registration of labels; and regulating the importation, distribution, and sale of such wine." .....	255, 721, 765, 890
468	Introduced by Gunderson, Clemow, Galt, Manuel: A bill for an act entitled: "An act to regulate the manufacture, distribution and use of commercial feed in the State of Montana by requiring registration with fee of products and facilities; setting inspection fees and establishing the method of col-	

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	lection; and repealing Sections 3-2012 through 3-2024, R.C.M. 1947." .....	255, 468, 518, 591, 592, 614, 618, 619, 894, 932, SA-964, S-15, 22, 23, 42, 127
469	Introduced by Greely, Swanberg, Regan: A bill for an act entitled: "An act to regulate the operation of motorcycles." .....	255, 520, 550, 551, 564, 611, 641, 670, 671, 862, 918, SA-961, S-15, 23, 42, 138
470	Introduced by Marbut, Turman, Lucas, Fasbender, Baucus: A bill for an act entitled: "An act relating to the preservation of historic, prehistoric and paleontological resources of the State of Montana; creating a permit system for exploration and imposing a penalty for violation; and authorizing the Governor's Advisory Council on historic sites to constitute an AD HOC Committee under the directorship of the commission of the Department of State Lands for permit issuance." .....	256, 369, 429, 461, 511, 534, 564, 580, 581, 906
471	Introduced by Lucas, Hall: A bill for an act entitled: "An act implementing Article II, Section 28, Article IV, Sections 2 and 4, and Article XII, Section 3 (2) of the 1972 Montana Constitution and H.B. 28 of this session providing the term "of unsound mind" to include other like terms in the Revised Codes of Montana, 1947." .....	256, 418, 463, 510, 547, 581, 990, S-15, 22, 23, 42, 127
472	Introduced by Barrett, Glennen: A bill for an act entitled: "An act providing that the suspension of any intrastate operating authority as provided in Section 8-107.1, R.C.M. 1947, for a period of twelve (12) consecutive months is a prima facie presumption of absence of public convenience and necessity; providing that if, after notice and hearing, the carrier is unable to prove the existence of public convenience and necessity or existing demand for the transportation service, the commission is authorized to cancel such certificate; and providing an effective date." .....	256, 493, 518, 592, 614, 619, 818, 884, 885, 886, 896, 1010
473	Introduced by Bennetts, Baucus, Watt, Turman, Haines, Lynch, Lee, Kimble, Greely: A bill for an act entitled: "An act to provide that a person convicted of a felony who has served his sentence and	

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	is no longer under state supervision be restored the right to enter any occupation requiring state licensing; and amending Sections 4-412, 27-311, 46-2510, 66-112, 66-403, 66-510, 66-913, 66-1036, 66-1038, 66-1240, 66-1312, 66-1504, 66-1834, 66-1937, 66-2115, 66-2210, 66-2345, 66-2509, 66-2610, 66-2714, 66-3017, 66-3209, 75-6010 and 93-2027, R.C.M. 1947." .....	256, 418, 462, 473, 485, 530, 531
474	Introduced by Swanberg, Lien, McKittrick, Turman, Mercer, Fasbender: A bill for an act entitled: "An act to provide for the extension of policy of preserving natural and existing shape, form and course of rivers and streams in the State of Montana to activities of private persons or organizations in addition to activities of public agencies; providing for the reporting to United States agencies of activities which adversely affect fishing streams and other fish and wildlife resources; providing for penalties and enforcement; amending Sections 26-1502, 26-1505 and 26-1506, R.C.M. 1947; and repealing Section 26-1507, R.C.M. 1947." .....	256, 268, 511
475	Introduced by Hager: A bill for an act entitled: "An act amending Sections 23-3308 and 23-3511, R.C.M. 1947, by deleting reference to a rotation system of candidate name arrangement and replacing it with a draw by lot." .....	256, 350
476	Introduced by Burnett: A bill for an act entitled: "An act amending Section 44-226, R.C.M. 1947, providing that Boards of County Commissioners may in their discretion exempt areas, not included in any city or town, from liability for taxes for county library purposes." .....	256, 351
477	Introduced by R. Harper: A bill for an act entitled: "An act establishing the salary for county attorneys in counties of the first class and of the second class at sixteen thousand dollars (\$16,000); and amending Section 25-605, R.C.M. 1947." .....	256, 408, 461, 480, 506, S-129
478	Introduced by Lund, Lockrem: A bill for an act entitled: "An act supplementing the Corrupt Practices Act, Title 94, Chapter 14, R.C.M. 1947, by providing that all political committees must file an organizational statement with the Secretary of State before it may solicit, receive or expend any funds; and providing a penalty." .....	257, 405, 431, 473, 485, 531
479	Introduced by Hager: A bill for an act entitled: "An act amending Section 23-3005, R.C.M. 1947, requiring the use of social security numbers as registry numbers." .....	257, 491, 518, 610, 625, 634, 726, 767, 769
480	Introduced by Regan: A bill for an act entitled: "An	



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	act to provide for a three (3) day cooling-off period on door-to-door sales contracts." .....	257, 390, 391, 429, 461, 480, 507, 1033 1038, SA-1048, S-41, 61, 62, 98, 158
481	Introduced by Yardley: A bill for an act entitled: "An act providing for determination and collection of civil penalties as an additional remedy; and providing for rebate of a portion of a penalty paid upon terms determined by the court." .....	257, 464
482	Introduced by Lee: A bill for an act entitled: "An act permitting the creation of commission state liquor stores and the establishment of compensation therefor by the director of revenue." .....	257, 518, 592, 614, 619, 906
483	Introduced by Mercer: A bill for an act entitled: "An act controlling the distribution of "sample drugs"; defining "sample drugs"; providing who is authorized to obtain such drugs; providing the manner authorized persons may obtain such drugs; and providing an effective date." .....	257, 487
484	Introduced by Hager: A bill for an act entitled: "An act to amend Section 23-3023, R.C.M. 1947, by deleting the requirement of posting lists of registered voters in each precinct." .....	257, 349, 370, 428, 462, 478, 689, 727, 736, 779, 814, 815, 838, 896, 897, 924, 990
485	Introduced by Hager: A bill for an act entitled: "An act providing for the cancellation of all registrations immediately after the 1974 general elections." .....	257, 349, 350
486	Introduced by Lien, Glennen: A bill for an act entitled: "An act amending Section 8-101, R.C.M. 1947, deleting certain provisions under definition of term "motor vehicle"; providing further for the definition of "motor vehicles" to include all vehicles. motor trucks, tractors or other self-propelled vehicles used for the transportation of property or persons over the public highways of the state and any trailer, semitrailer, dollie or other vehicle drawn thereby; and providing for an effective date." .....	257, 440, 463, 510, 547, 581, 769, 834, 855, 884, 946
487	Introduced by R. Harper, Gunderson, Towe, Turman, Manuel, Stephens, Stoltz, Roberts, Fleming, Staig-miller, Edland, Bennetts, Tierney, Colberg, Murphy, Shelden, Hodges, Norman: A bill for an act entitled: "An act creating a single member public utility commission replacing the public service commission and transferring to the public utility com-	

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	mission the functions of the Public Service Commission; amending Sections 72-104 and 72-139, R.C.M. 1947, to conform with this act; amending Section 25-501, R.C.M. 1947, deleting the salary of the railroad commissioners; and repealing Sections 70-101, 70-102, 70-118, 70-134, 72-101, 72-102, 72-103, 72-105, 72-107 and 72-112, R.C.M. 1947." .....	257, 445, 484, 535, 536, 537, 538
488	Introduced by Brand, Kimble, Menahan, Mehrens, Lynch, Quilici, McKittrick, Clemow, Marbut, Staigmiller, Gunderson, Healy, Lombardi: A bill for an act entitled: "An act to provide for job protection for railroad employees affected by closure of railroad stations and facilities." .....	268, 435, 463, 510, 570, 608, 1012, S- 15, 23, 42, 127
489	Introduced by Greely, Swanberg, Fasbender: A bill for an act entitled: "An act amending Section 84-1501, R.C.M. 1947, relating to the corporation license tax by subjecting corporations to tax on the basis of total net income; provided, that corporations having income from business activity which is taxable both within and without Montana shall be taxed on the basis of net income derived from or attributable to Montana sources; and amending Section 84-1503, R.C.M. 1947, to provide for the allocation and apportionment of income of corporations having income from business activity which is taxable both within and without Montana." .....	268, 269, 571, 593, 625, 639, 660, 691
490	Introduced by Lynch, Cox, Murphy, Bradley, Menahan: A bill for an act entitled: "An act restricting the types of informations a school board may require of applicants for employment." .....	269, 494, 538, 592, 614, 619, 620, 1012
491	Introduced by Roberts, H. Harper: A bill for an act entitled: "An act to amend Section 23-3318, R.C.M. 1947, changing the timing for the filing of certificates of nomination." .....	269, 405, 406, 429, 461, 480, 507, 726, 789, SA-829, 895, 925, 935, 940, 1010
492	Introduced by Bradley, Norman, Kimble, Baucus, Turman, Marbut, Holmes, Hageman, Regan, Huennekens, Towe, Hodges, Colberg, Driscoll, Harper, Forsgren, Watt: A bill for an act entitled: "An act declaring the legislature's concern about the current and impending development of the coal resources in Montana and about the adverse effects such development may have on the health, safety and welfare of the people of Montana; providing for the comprehensive study of all aspects of such development; and providing for a moratorium on	

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	the further development of coal surface mining and related energy conversion facilities until comprehensive studies have been completed and until the Second Session of the 44th Legislature has adjourned having had an opportunity to respond with appropriate legislation." .....	269, 492, 518, 592, 614, 623, 640, 1013, 1019, 1024
493	Introduced by Lombardi, McKittrick, Healy, Lee, Mehrens, Regan, Haines, Marbut, Clemow, Campbell, Ainsworth, Murphy, Flynn, Quilici, Glennen, Johnston, Greely, Laas, Fleming, Kosen, Menahan, Lynch, Stoltz, Yardley, Baeth, Asbjornson: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; creating the Division of the State Lottery in the Department of Revenue; and prescribing its functions, powers and duties." .....	269
494	Introduced by Fagg, Lucas, Tierney, Flynn, Edland, Hager, Glennen, Rolfe: A bill for an act entitled: "An act to require motor vehicle inspections in the State of Montana; and providing an effective date." .....	269, 520
495	Introduced by Watt: A bill for an act entitled: "An act to fix different taxable valuations on land and on the improvements on land; and amending Section 84-301 and 84-302, R.C.M. 1947." .....	269
496	Introduced by Hall, R. Harper, Menahan, Norman, Regan, Bradley, Tierney, Murphy, Huennekens, Brand, Gerke, Cotton, Fasbender, Zimmer, Healy, Swanberg, Quilici, Turman, Lombardi, Shelden, Hodges, Baeth, Prevost, Haines, Asbjornson, Staigmiller, Lynch, Gunderson: A bill for an act entitled: "An act granting firemen in cities of the first class and the second class the right to bargain collectively; representative in an appropriate unit for the purposes of collective bargaining; providing for the duties and obligations of cities and firemen relative to the conduct of collective bargaining and providing for remedies for breach or violation of such duties; and providing for procedures for carrying out the purposes of this act." .....	269, 406, 431, 511, 531, 906
497	Introduced by Cox, Glennen, Olson, Barrett, Ainsworth, Schye, Bell, Murphy: A bill for an act entitled: "An act requiring the State Department of Revenue to remit a portion of the income taxes received by the department to local governments and requiring said governments to use seventy-five percent (75%) of said moneys for property tax relief; and providing an effective date." .....	269, 887
498	Introduced by Watt, Fasbender: A bill for an act entitled: "An act amending Section 84-4902.1, R.C.M. 1947, raising the surtax on the Montana	

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	individual income tax to fifteen percent (15%) of the tax liability." .....	270
499	Introduced by R. Harper, Towe, Gunderson, Kimble, Edland, Murphy, Driscoll, Baucus, Bradley, Greely, Turman, Marbut, Watt: A bill for an act entitled: "An act to require furnishing of information on public utilities providing heat, power and light to the consumer counsel." .....	270, 465
500	Introduced by Hager: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, eliminating notaries public as deputy registrars; and providing for instruction of deputy registrars." .....	270, 490, 546, 610
501	Introduced by Holmes: A bill for an act entitled: "An act to require a course of instruction in American Indian culture on the educational background of any teacher in a Montana elementary, secondary or vocational education program or school; and providing an effective date." .....	270, 521
502	Introduced by Kimble, Tierney, Murphy, Bennetts, Bradley: A bill for an act entitled: "An act requiring Montana colleges and universities to develop procedures to protect a student's right to privacy concerning his place of residence and his college or university records." .....	270, 494, 495, 564, 610, 641, 671, 862, 918, 932, SA-965, 1050, 1051, S-13, 127
503	Introduced by Healy, Schye, Lee, Lockrem, Quilici, Lynch, Ulmer, Brand, Clemow, R. Harper, Ashbjornson, Nichols, Haines, Lombardi, Flynn: A bill for an act entitled: "An act to create the resource indemnity trust account in the trust and legacy fund; to provide for the funding of the account from taxes imposed on the value of product of nonrenewable resource extracting industries; and amending Sections 84-1210, 84-1309, 84-1901 and 84-5908, R.C.M. 1947." .....	270
504	Introduced by Lee: A bill for an act entitled: "An act to amend Section 4-510, R.C.M. 1947, to increase the fees for issuance of an alcoholic beverages identification card from fifty cents (\$.50) to one dollar and fifty cents (\$1.50); and providing an effective date." .....	270, 366, 408, 462, 480, 507, 894, 896, 1058
505	Introduced by Lombardi, McKittrick, Lee, Baeth Mehrens, Lynch: A bill for an act entitled: "An act providing for the Department of Labor and Industry to hold hearings, to make findings, decisions and orders in all disputes arising under the labor laws of Montana regulating the payment of wages;	



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	providing for compliance with the Montana Administrative Procedure Act; providing for notice; providing for rules and regulations for the conduct of such hearings; and providing for appeal to the district courts." .....	270, 586
506	Introduced by Fasbender: A bill for an act entitled: "An act amending Section 69-3923, R.C.M. 1947; providing that air pollution facilities, machinery or equipment shall be classified as Class 7 property for purposes of taxation for a period not to exceed three (3) years; providing a method for applying for that classification; providing for the withdrawal of such classification upon noncompliance with the provisions of the "Clean Air Act of Montana"; and providing an effective date." .....	270, 682, 722, 775, 801, 879, 1059
507	Introduced by Lynch, Clemow, Ellerd, Greely, Quilici, Lee, Lombardi, Healy, Mehrens, R. Harper, Tierney, Castles, Turner: A bill for an act entitled: "An act legalizing gambling; creating the Montana Gaming Control Board; prescribing its duties and powers; providing for classes of gaming licenses and license fees and taxes; providing for the collection and disposition of license fees and taxes; providing for local option elections; and providing penalties." .....	270, 271, 377, 941, 942
508	Introduced by Edland: A bill for an act entitled: "An act to amend Section 84-1302, R.C.M. 1947, to increase the strip coal mines license tax by ten cents (10¢) per ton of coal mined; and providing an effective date." .....	271
509	Introduced by Fasbender, Walborn, East, Smith, Kolstad, Hubing, Ulmer, Gunderson, Lien, Prevost, Lockrem: A bill for an act entitled: "An act amending Sections 84-1302 and 84-1303, R.C.M. 1947, to change the basis for determining and raising the strip coal mines license tax and removing the reclamation credit; providing distribution for a portion of the strip coal mines license tax to the counties; and repealing 84-1309, R.C.M. 1947." .....	271, 777, 853, 890, 917, 941, 999, S-102, 106, 117, 118, 128, 136, 137, 143, 158, 164, 166
510	Introduced by Baeth (by request): A bill for an act entitled: "An act to amend Section 31-135, R.C.M. 1947; providing that operator and chauffeur licenses shall not be valid for operation of motorcycles unless endorsed; and providing the fee for such endorsement." .....	271, 492, 493
511	Introduced by Lee (by request): A bill for an act entitled: "An act granting the right of entry to the electrical inspector into any building or premises	

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	in the discharge of his duties of inspection, reinspection and testing of electrical equipment." .....	278, 545
512	Introduced by Haines: A bill for an act entitled: "An act amending Sections 82-2405, 84-2406, 84-2407 and 84-2412, R.C.M. 1947; providing for an additional five dollars (\$5) to be collected for store licenses; and providing for five dollars (\$5) of each store license fee collected to be credited to an earmarked revenue fund for administration of the unfair practices act by the Department of Business Regulation."	278, 487, 511, 537, 547, 585, 817
513	Introduced by Fasbender: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M. 1947, by reinstating a provision pertaining to an alternative method of complying with Montana's Corporation License Tax which was inadvertently deleted by Section 1, Chapter 7, Second Extraordinary Session of the Laws of the Forty-second Legislative Assembly."	278, 707, 725, 788, 834, 879, S-32, 76, 77, 99, 190
514	Introduced by Gunderson, Haines, Clemow, Yardley: A bill for an act entitled: "An act to limit license, regulate, and control gambling; establishing a Gaming Control Board and specifying its powers and duties; and providing penalties for violations of this act."	278, 279
515	Introduced by Ulmer: A bill for an act entitled: "An act to control gambling; establishing a gaming commission in the Department of Revenue having exclusive authority to license gambling activities and to sell gambling devices, the revenue to be applied to the State Equalization Aid Account; and repealing Sections 94-2401 through 94-2432."	279
516	Introduced by Lynch (by request): A bill for an act entitled: "An act amending Section 84-3201, R.C.M. 1947, concerning licenses for bowling alleys."	279, 487
517	Introduced by Swanberg, Walborn, Smith, Bradley, R. Harper, Edland, Towe: A bill for an act entitled: "An act establishing a fee on acres to be surface mined or having been surface mined which have not been released from a reclamation bond."	279, 842, 843, 881, 889, 895, 953
518	Introduced by Swanberg, Lockrem, Fagg, Cox, Gerke, Watt, Greely, McKittrick, Hodges, Staigmiller, Gunderson, Hall, Yardley: A bill for an act entitled: "An act providing for a severance tax upon all oil and gas produced and saved from reservoirs in Montana; establishing the rates of such tax and the deduction of certain capital expenditures and operating costs; providing procedures for the determination of values of production, the filing of statements, and the payment of the tax; providing penal-	

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	ties for violations of the act; providing for the allocation of revenues from the severance tax to the state general fund, to counties in which the oil and gas was produced, and to school districts within such counties; providing that the severance taxes shall be in lieu of net proceeds taxes on natural gas and petroleum or other crude or mineral oil; exempting oil and gas in place from taxation; and repealing Sections 84-6201 through 84-6215, R.C.M. 1947." .....	279, 848, 849, 895
519	Introduced by Greely: A bill for an act entitled: "An act to establish a central reporting system within the Department of Revenue to assist in the identification of corporations transacting business within the State of Montana and/or subject to taxation by the State of Montana; requiring the Secretary of State and the Department of Labor and Industry to provide information relating to corporations; providing for the administration of the act; and providing for the information as a public record." .....	279, 683, 722, 775, 776, 819, S-7, 92, 98, 108, 190
520	Introduced by Towe: A bill for an act entitled: "An act providing for the filling of vacancies in the offices of district court judge and supreme court justice, to comply with and implement Article VII, Section 8, of the 1972 Montana Constitution; and repealing Sections 93-209, 93-220 and 93-309, R.C.M. 1947." .....	279, 465, 518, 592, 625, 634, 635, 906
521	Introduced by Norman, Roberts: A bill for an act entitled: "An act to provide for the use of identifying devices; and to provide for the duty owed disabled persons." .....	279, 567
522	Introduced by Gerke, Johnston, Swanberg, Ainsworth, Olson: A bill for an act entitled: "An act relating to the financing of the long-range building program, by the issuance of bonds payable from special taxes appropriated therefor and further supported by the pledge of the full faith and credit of the state; amending Sections 79-2201 through 79-2205, R.C.M. 1947." .....	279, S-132, 139, 141, 144, 145, 190, 191
523	Introduced by Brand, Towe: A bill for an act entitled: "An act to require issuance of automobile liability insurance policies to applicants; and providing for exceptions." .....	280, 321, 420, 463, 510, 547, 581, 582, 614, 690
524	Introduced by Swanberg, Gerke (by request): A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to eliminate the deduction allowed for net operating losses." .....	280

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525	Introduced by Swanberg, Gerke (by request): A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, relating to taxation and classification of rights of entry." .....	280, 642
526	Introduced by Lee: A bill for an act entitled: "An act making lawful the conducting of games of chance, commonly known as punch boards; defining terms; providing for the manufacture, licensing and regulation of punch boards; and providing for the enforcement of this act." .....	280
527	Introduced by Towe, Bradley, Huennekens, Holmes, Staigmiller, Turman, Marbut, Regan, H. Harper, Norman, Baucus, Murphy, Aageson, Bennetts: A bill for an act entitled: "An act providing for the imposition of an annual disturbed land fee; increasing the strip coal mines license tax; and amending Section 84-1302, R.C.M. 1947." .....	280
528	Introduced by Towe, Marbut, Turman, R. Harper, Glennen, Gerke, Huennekens, Holmes, Regan, Fagg, Mercer, H. Harper, Baucus, Bradley: A bill for an act entitled: "An act to provide for determination and treatment of mentally ill; and repealing Sections 38-109, 38-112 through 38-116, 38-120, 38-201 through 38-211, 28-213 and 38-401 through 38-408, R.C.M. 1947." .....	280, 285, 466, 467, 538, 592, 614, 620
529	Introduced by Towe: A bill for an act entitled: "The Montana Tax Reform Act of 1973; providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; requiring corporations to pay a business and occupation license tax measured by gross receipts; amending Sections 84-1901, 84-4903.1, 84-4924 and 84-4939, R.C.M. 1947; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date." .....	280
530	Introduced by Towe, Edland, Fleming, Prevost, Schepens, Roberts, R. Harper, Gunderson: A bill for an act entitled: "An act to amend Section 84-1502 R.C.M. 1947, to limit deductions for hobby farms and for activities not engaged in for profit in determining taxable income for purposes of the Corporate License Tax." .....	280, 627, 659, 701, 722, 728, 950
531	Introduced by Towe: A bill for an act entitled: "An act amending Section 84-5606.2, R.C.M. 1947, to redefine cigarette vendors, and to define cigarette subjobbers; amending Section 84-5606.3, R.C.M. 1947, to require cigarette subjobbers and cigarette vendors to obtain licenses; amending Section 84-5606.5, R.C.M. 1947, to provide for a license fee for cigarette subjobbers and vendors; and amending	



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	Section 84-5606.8, R.C.M. 1947, to provide for revocation of a license of cigarette subjobbers and vendors for failure to comply with the act." .....	280, 364, 813, 853, 917, 932, 976, 1015, S-93
532	Introduced by Towe, Huennekens, Colberg, Holmes, R. Harper, Tierney: A bill for an act entitled: "An act to amend Section 84-301, R.C.M. 1947, relating to taxation and classification of rights of entry." .....	280, 281, 707, 724, 788, 834, 879, 880, S-31, 57, SA-64, 99, 108, 121
533	Introduced by H. Harper, Holmes, Marks: A bill for an act entitled: "An act defining gambling; making gambling activities illegal; providing penalties for violations; and repealing Sections 94-2401 through 94-2432, R.C.M. 1947." .....	281
534	Introduced by Marks, Bell, Glennen, Castles, Halvorson, Towe, Quilici, Lombardi: A bill for an act entitled: "An act authorizing cities, counties and airport authorities to impose reasonable passenger service charges for the use of certain public airports to be collected either by passenger air carriers, if they agree to collect the charge on a contract basis, or to be collected by airport personnel; providing for reporting, collection, disposition and use thereof; providing penalties; and providing an effective date." .....	281, 351, 370, 428, 463, 507, 990, S-15, 22, 23, 42, 158
535	Introduced by Lee, Murphy (by request): A bill for an act entitled: "An act to provide for and obtain revenue from a state supervised, but privately operated, lottery with all lottery drawings regulated by the Board of Examiners of the State of Montana, or its appointees; amending Title 94, Chapter 30, R.C.M. 1947, by adding new sections which read as follows:" .....	281
536	Introduced by Holmes, Hall, Baucus, Regan, R. Harper, Lee, Cox, Olson, Haines, Ainsworth, Marbut, Kimble, Seifert, H. Harper, Bennetts, Gerke, Sheldon, Gunderson, Fasbender: A bill for an act entitled: "An act implementing Article XIII, Section 4, of the 1972 Montana Constitution to provide a code of ethics; providing a commission and procedures for administration of the code; and repealing Sections 59-501, 82-1144 and 82-1922, R.C.M. 1947." .....	281, 491
537	Introduced by Hall: A bill for an act entitled: "An act to amend Section 23-3006, R.C.M. 1947, to provide for party registration of all elections." .....	291, 450, 451
538	Introduced by Hall: A bill for an act entitled: "An act to amend Sections 23-3006 and 23-3308, R.C.M.	

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	1947, to provide for party registration and for a closed primary." .....	291, 449, 450, 570, 639, 659, 671, 889
539	Introduced by Marks: A bill for an act entitled: "An act authorizing the state, counties, cities, towns and municipalities to apply fines collected for violations of Section 32-2142, R.C.M. 1947, to alcoholic or drug rehabilitation programs." .....	291, 482
540	Introduced by Ainsworth: A bill for an act entitled: "An act to provide for the establishment and operation of a joint city-county library; and providing an effective date." .....	291, 406, 431, 473, 485, 531, 532, 905, 935, 941, 942, 1050
541	Introduced by Lee: A bill for an act entitled: "An act to amend Section 4-235, R.C.M. 1947, to remove the limitation of outstanding indebtedness which may be incurred by the Montana Liquor Control Board." .....	291, 444
542	Introduced by Holmes, Towe, Huennekens, Baucus, Kimble, H. Harper, Aageson, Murphy, Shelden, Gunderson, Cotton, Bardanouve: A bill for an act entitled: "An act to prevent discrimination in employment, public accommodations, education, and real property transactions; to establish a Commission on Human Rights; to authorize the creation of local commissions and to make uniform the law with reference thereto, and for other purposes; and repealing Sections 64-302 and 64-303." .....	291, 489, 490, 570, 625, 660, 691, 692
543	Introduced by Ulmer, Marbut, Healy, Gunderson, Castles: A bill for an act entitled: "An act authorizing the Department of Social and Rehabilitation Services to purchase vocational rehabilitation services for handicapped persons; authorizing the department to promulgate rules and regulations under this act; and providing for the expenditure of funds for this purpose." .....	291, 463, 510, 547, 582, 929, 966, 1007, 1009, 1028, S-74
544	Introduced by Greely: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, to require county commissioners and city and town councils to seek out best terms for deposits of money; and deleting requirement for ratable distribution." .....	291, 410, 411, 412, 443, 511, 537, 538, 562, 563, 625, 635, 1034
545	Introduced by Greely (by request): A bill for an act entitled: "An act regulating persons who purport	

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	to be able to detect deception or to verify truth of statements through the use of instrumentation as lie detectors, polygraphs, deceptographs, and or similar or related devices and instruments; establishing licensing and or regulatory powers over all such persons and instruments; providing for administrative proceedings and court review; establishing minimum instrumentation requirements and prohibiting the use of instruments or devices which do not meet minimum instrumentation requirements; and providing for injunctions and penalties for violation of the provisions of this act." .....	291, 292, 465
546	Introduced by Hodges (by request): A bill for an act entitled: "An act making lawful the conducting of games of chance, commonly known as punch boards; defining terms; providing for the licensing and regulation of punch boards; and providing for the enforcement of this act." .....	292
547	Introduced by Burnett: A bill for an act entitled: "An act requiring the administrator, executor, and attorney to disclose his probate fee on the estate to the beneficiaries upon consideration of the case; and requiring a district court to publicly post its probate fee schedule." .....	292, 492
548	Introduced by Bardanoue: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Public Employees' Retirement System and repealing Sections 68-101, 68-102, 68-201, 68-202, 68-203, 68-301, 68-302, 68-303, 68-401 through 68-405, 68-501, 68-601, 68-602, 68-603, 68-701 through 68-710, 68-801, 68-802, 68-901, 68-902, 68-1001 through 68-1005, 68-1101, 68-1201 and 68-1301 through 68-1320, R.C.M. 1947." .....	292, 468, 538, 592, 614, 620, 905, 1000, 1030, S-3, 74
549	Introduced by Menahan, Forsgren, Holmes, Brown, Lucas, Bradley, Lynch: A bill for an act entitled: "An act providing for notification of nontenure teachers regarding their election or termination for the following year." .....	292, 521, 538, 609, 625, 635, 949, 1027, 1030, S-3, 74
550	Introduced by Bardanoue, Fagg: A bill for an act entitled: "An act adding new Sections to Chapter 47, Title 16, R.C.M. 1947; providing for the protection and enhancement of shoreland areas; county zoning; assistance by the Department of Natural Resources and Conservation; and zoning by that department upon default by a county." .....	292, 495
551	Introduced by Marbut, Hall, Fasbender: A bill for an act entitled: "An act to avoid jurisdictional conflict between states in child custody proceedings;	

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	to provide interstate judicial assistance in custody cases; and to discourage illegal schemes to gain possession of a child in contested custody proceedings." .....	292, 491, 518, 609, 625, 635, 636, 768,
552	Introduced by Fagg: A bill for an act entitled: "An act amending Section 23-3101, R.C.M. 1947, to require election precinct boundaries to conform to legislative district boundaries." .....	310, 405, 431, 473, 509, 558, 710
553	Introduced by Menahan, Kosena, Mehrens, Lee: A bill for an act entitled: "An act to exempt from the Montana personal income tax the income of Montana citizens on active duty in the armed services of the United States who have been physically present in the state for less than thirty (30) days in a calendar year." .....	310, 977
554	Introduced by Haines, Kolstad, Murphy: A bill for an act entitled: "An act establishing a program for the control of litter within the state; establishing the Department of Natural Resources and Conservation as the enforcing agency; prohibiting littering and providing fines therefore; establishing the responsibility for the removal of litter; establishing a litter assessment upon certain items; establishing a litter control account within the general fund; repealing Sections 94-3335 through 94-3344, R.C.M. 1947; and providing for an effective date." .....	310, 482
555	Introduced by Colberg, Regan, Holmes, Huennekens, Towe, Bradley, Hodges, Staigmilller, R. Harper, Driscoll, Stoltz, Bennetts, Schepens, H. Harper, Prevost, Greely, Gunderson, Kimble, Murphy, Baucus, Marbut, Turman, Yardley: A bill for an act entitled: "An act creating the "Surface Mine Land Conservation and Reclamation Act of 1973"; providing for the reclamation of land subject to any disturbance from surface mining; requiring licensing of surface mine operators in this state; requiring permit for each surface mine operation; requiring reclamation plan of land surface and bond before a permit is issued; authorizing the commissioner of the Department of State Lands to administer the act; granting rulemaking authority; providing penalties; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." .....	310, 526, 538, 610, 659, 671, 672, 907
556	Introduced by Fagg, Regan, Holmes, Turman, Cox, Huennekens, Towe, Marbut: A bill for an act entitled: "An act establishing prerequisites and procedures for municipalities to annex contiguous areas and authorizing freeholders to petition for annexation; requiring municipalities to plan the extension of governmental services to such areas; and providing for judicial review of annexation proceedings." .....	310, 311, 407, 462, 473, 485, 532



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557	Introduced by Hall, Kolstad, Cox, Menahan, Turman, Lynch, Hager, Mehrens, Schepens, Lombardi, Quilici, Baeth, Yardley, Lee, Prevost, Halvorson, Regan, Brown, Tierney, Warfield, Brand, Healy, Holtz, R. Harper, Huennekens, Gerke, H. Harper, Murphy, Aageson, Holmes, Kosen, Stephens, Mercer, Driscoll, Jones: A bill for an act entitled: "An act to be known as the "Uniform Probate Code" relating to affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; consolidating and revising the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; providing for the validity and effect of certain nontestamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; repealing Section 91-1501, R.C.M. 1947; and providing an effective date." .....	311, 420
558	Introduced by Bennetts: A bill for an act entitled: "An act creating the State Commission for Human Rights, to eliminate and prevent discrimination due to race, religion, color, ancestry, sex, or age and education; and repealing Sections 64-302 and 64-303, R.C.M. 1947." .....	321, 488, 489
559	Introduced by Baucus, Bardanoue, Tierney, Greely, Murphy, Watt, Halvorson, H. Harper, Bradley: A bill for an act entitled: "An act providing for voter registration on and in the thirty (30) day period before an election day; allowing electors who have registered in this period to vote in the election; amending Sections 23-3011, 23-3012, 23-3015, 23-3018 and 23-3024, R.C.M. 1947; repealing Sections 23-2704, 23-3016 and 23-3017, R.C.M. 1947; and adding a new Section to be numbered 23-3104, R.C.M. 1947." .....	321, 498, 570, 639, 656, 657, 685, 712
560	Introduced by Swanberg, Bell: A bill for an act entitled: "An act providing for a license fee for distillers of liquor." .....	321, 488
561	Introduced by Kvaalen, Nichols, Prevost, Lien, Jacobsen: A bill for an act entitled: "An act to submit to the qualified electors of Montana a new Section to be added to Article VIII of the Constitution of Montana limiting state property taxes to the support of the state's share of the basic elementary and secondary school system; and requiring such a levy to be approved by a vote of three-fifths (3/5) of the members of each house." .....	321
562	Introduced by Huennekens: A bill for an act entitled: "An act to provide for state inspection, regulation and supervision of dams and reservoirs for safety	

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	purposes; and repealing Sections 89-701 through 89-714, 89-827 and 89-828, R.C.M. 1947." .....	321, 322, 469, 480, 510, 511, 593, 608, 609, 889, 904, 923, 1012
563	Introduced by Nichols, Fasbender: A bill for an act entitled: "An act providing for the removal of wholesale and retail milk price control from the Montana Milk Control Act while retaining flexible price control for producers only; amending Sections 27-401, 27-403, through 27-405, 27-407 through 27-411, 27-413, 27-414, 27-415 through 27-417, 27-420, through 27-422, 27-424, 27-426, 27-428, 27-429, R.C.M. 1947; and repealing Sections 27-414, 27-414.1 and 27-418, R.C.M. 1947." .....	338, 523
564	Introduced by Marbut, Gunderson, Ulmer, McKittrick, Warfield, Lynch, Quilici, Bradley, Holmes: A bill for an act entitled: "An act to be known as the 'Education of the Handicapped Act of 1973'; providing the Office of the Superintendent of Public Instruction with the administration of the act; providing procedures, services; and an advisory council; and providing the funding of the act." .....	339, 523
565	Introduced by Haines, Ainsworth: A bill for an act entitled: "An act generally recodifying the election laws; combining certain elections on one (1) day: deleting out-moded posting, proclamation, and notice requirements; consolidating and making uniform filing deadlines; changing voting times; generally certain housekeeping amendments throughout Title 23; amending Sections 23-2605, 23-3002, 23-3003, 23-3015, 23-3016, 23-3023, 23-3204, 23-3302, 23-3305, 23-3307, 23-3321, 23-3505, 23-3611, 23-3703, 23-3704, 23-3705, 23-3706, 23-3818, 23-3903 and 75-5912, R.C.M. 1947; and repealing Sections 23-2902, 23-2903, 23-3303, and 23-3709, R.C.M. 1947." .....	339, 498
566	Introduced by Bennetts, Tierney, Lynch, McKittrick, Lee, Colberg: A bill for an act entitled: "An act appropriating seventy-three thousand seven hundred sixty dollars (\$73,760) to the Department of Labor and Industry from the general fund to implement functions relative to the employment and related needs of women." .....	339
567	Introduced by Flynn, Glennen: A bill for an act entitled: "An act to amend Sections 69-1502, 69-1508 and 69-1512, R.C.M. 1947, relating to inspection and operation of steam boilers and steam machinery: to repeal Sections 69-1509, 69-1510, 69-1511, 69-1513, 69-1514, 69-1516 and 69-1517, R.C.M. 1947, relating to the licensing of engineers to operate steam boilers and steam machinery; and providing an effective date." .....	361, 586
568	Introduced by Huennekens, Johnston: A bill for an act entitled: "An act providing that there shall be	

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	access to state lands and that state lands shall be open to the general public for recreational use except in certain cases; and amending Section 81-908, R.C.M. 1947." .....	362, 497, 498
569	Introduced by Brand: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam War between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities in Southeast Asia; to authorize the State of Montana to become indebted in the sum of twelve million dollars (\$12,000,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of the law; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; to provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; to levy and provide for the collection of an excise tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M. 1947; to create and provide for the administration of a Vietnam Veterans' Compensation Fund and bond fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the law; to pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; to make the bonds a legal investment for funds of the State of Montana to provide penalties for violation of provisions of the law; to amend Sections 84-5606 and 84-5606.30, R.C.M. 1947; and to make other provisions germane to the main purpose of the law." .....	378
570	Introduced by Ellerd, Lien: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V, of the Constitution of Montana reinstating biennial sessions of the Legislative Assembly." .....	397, 399, 434, 435
571	Introduced by Bardanouve, Marbut, Lund, Fasbender: A bill for an act entitled: "An act amending Sections 82A-101 through 82A-112 and 82A-115 through 82A-122, R.C.M. 1947, relating to the general provisions contained in the First Chapter of the Executive Reorganization Act of 1971; and repealing Sections 82A-113, 82A-114 and 82A-123, R.C.M. 1947." .....	422, 518, 564, 610, 625, 636, 894, 932, SA-965, 1050, S-13, 14, 24, 127

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572	Introduced by Lucas, Cox, Shelden: A bill for an act entitled: "An act appropriating one hundred sixty thousand dollars (\$160,000) from the general fund for the office of the consumer counsel." .....	422, S-180
573	Introduced by Bardanouve, Fasbender, Marbut, Lund: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of State Lands, and providing that this act is effective upon its passage and approval." .....	422, 518, 538, 609, 641, 672, 990, S-15, 42, 98, 158
574	Introduced by Bardanouve: A bill for an act entitled: "An act to appropriate moneys for payment of employer's contribution to the Public Employees' Retirement System for the services of members of the Legislative Assembly; and providing an effective date." .....	422, 661, 685, 721, 725, 772, 990, 1050, 1051, S-13, 127
575	Introduced by Bardanouve: A bill for an act entitled: "An act appropriating moneys for certain state agencies or government for the biennium ending June 30, 1973; and providing an effective date." .....	422, 689, 722, 775, 776, 819, 820, 991, 1037, 1038, 1050, S-14, 54, 109, 110, 128, 155, 158, 164, 187, 188, 189, 190, 191
576	Introduced by Bardanouve, Fasbender: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article IX, Section 2, of the Constitution of Montana establishing a resource indemnity trust in the State which shall be forever inviolate and guaranteed by the State against loss or diversion." .....	460, 498
577	Introduced by Fasbender: A bill for an act entitled: "An act authorizing a collection service in the Montana Department of Revenue for the purpose of centralizing the collection of all debts owing to the State of Montana." .....	460, 519
578	Introduced by Gunderson, Fasbender: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars (\$150,000) from the general fund and appropriating all federal funds received for the purposes of this act from the federal and private revenue fund to the commission created by this act for the biennium ending June 30, 1975, for conducting a comprehensive study of the planning for post-secondary education in Montana; and establishing a commission on post-secondary education." .....	460, 660, 722, 775, 789, 884, 915, 916, S-31, 57, SA-65, 99, 108, 121



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579	Introduced by Quilici, Bennetts, Menahan, Lynch, Fasbender: A bill for an act entitled: "An act abolishing the Division of Employment Security and transferring its functions to the Department of Labor and Industry; and repealing Sections 82A-1006 and 82A-1007, R.C.M. 1947." .....	470, 916
580	Introduced by Fagg: A bill for an act entitled: "An act amending Section 11-3401 through 11-3414, 11-3418 through 11-3426, 11-3428, 11-3432, 11-3438, 11-3439, 11-3441 through 11-3445, 11-3448 through 11-3451, 11-3458, 11-3460, 11-3503 through 11-3507, 11-3509, 11-3510, 11-3512, 11-3515, 11-3517, 11-3518, 11-3522, 11-3524 through 11-3527, 11-3530 through 11-3533, 11-3535 through 11-3540, 11-3542 through 11-3548, 11-3552, 11-3553, and 11-3555 through 11-3560, R.C.M. 1947; providing for a mayor-council form of government as an alternate form of government in city-county consolidated municipal governments." .....	551
581	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act appropriating sixty-seven thousand nine hundred sixty-two dollars (\$67,962) from the Agricultural Experiment Station earmarked revenue fund for the biennium ending June 30, 1975, for the acquisition of real property; appropriating as much as may be necessary from the Agricultural Experiment Station earmarked revenue fund for interest and other costs to the purchaser for the acquisition of real property; authorizing the Agricultural Experiment Station to enter into a contract for deed to approximately 93.69 acres of land in Gallatin County; and providing an effective date." .....	598, 661, 685, 721, 725, 772, 990, 1050, 1051, S-13, 127
582	Introduced by Marbut, Bardanouve, Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Administration, and providing that this act is effective upon its passage and approval." .....	618, 782, 853, 918, 976, 1015
583	Introduced by Kimble, Swanberg, Bell: A bill for an act entitled: "An act to amend Section 84, Chapter 49, R.C.M. 1947, by adding a new Section exempting the first one thousand dollars (\$1,000) of compensation received from the United States for service as a reserve or active member of the armed forces from imposition of income tax." .....	668, 977, 1050, S-11, 19, 60, 86
584	Introduced by Tierney, McKittrick, Lucas, Greely: A bill for an act entitled: "An act codifying and generally revising the laws pertaining to consumer credit; relating to certain consumer and other credit transactions and constituting the Uniform Consum-	

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	er Credit Code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation; amending Sections 7-113, 17-206, 41-304, 47-119, 47-124 through 47-127, 74-325, 74-505, 87A-9-203, 93-5816 and 93-8601, R.C.M. 1947; and repealing Sections 5-527, 5-1301 through 5-1311, 41-1501 through 41-1510, 47-201 through 47-228 and 74-601 through 74-612, R.C.M. 1947." ....	668
585	Introduced by Fasbender, Bardanouve: A bill for an act entitled: "An act appropriating moneys for development of Giant Springs State Park provided local donations are available." .....	S-43
586	Introduced by Bardanouve, Kosena: A bill for an act entitled: "An act to amend Section 28-109, R.C.M. 1947, providing for an increase in fire protection and suppression fees paid by owners of classified forest land from not more than ten cents (10¢) per acre to not more than twenty-five cents (25¢) per acre for Class I lands and from not more than three cents (3¢) per acre to not more than ten cents (10¢) per acre for Class II lands." .....	727, S-15, 61, 75, 86, 87
587	Introduced by Hodges: A bill for an act entitled: "An act to repeal the authority granted to city councils to levy a poll tax, repealing Sections 11-951 and 84-4732 through 84-4735, R.C.M. 1947." ....	769
588	Introduced by Lund: A bill for an act entitled: "An act appropriating moneys for the Office of Coordinator of Indian Affairs for the biennium ending June 30, 1975." .....	784, S-104, 106, 120, 145, 158
589	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act amending Sections 75-8103 and 75-8120, R.C.M. 1947, To Have the Board of Regents Set the Compensation of the Employees of All Community Colleges On A Uniform Basis." .....	818, S-42, 99, 132, 140
590	Introduced by Fasbender, Lund: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the department of intergovernmental relations, and providing that this act is effective upon its passage and approval." .....	819, 924, 994, 1050, S-12
591	Introduced by Brand, Burnett, Lombardi, Lee, Healy: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compen-	

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	<p>sation to each resident of Montana in military service in the Vietnam area during the Vietnam War between August 5, 1964, and March 31, 1973; to authorize the State of Montana to become indebted in the sum of two million five hundred thousand dollars (\$2,500.00) in excess of the Constitutional Limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of this act; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; To provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon: To levy and provide for the collection of an Excise Tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M. 1947; To create and provide for the administration of a Vietnam Veterans' Compensation Fund and Bond Fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the Act; To pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; To make the bonds a legal investment for funds of the State of Montana; To provide penalties for violation of provisions of the act; To amend Sections 84-5606 and 84-5606.30, R.C.M. 1947; To make other provisions germane to the main purpose of this act; and to provide for a referendum of this act." .....</p>	819, 898
592	<p>Introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Institutions, and providing that this act is effective upon its passage and approval." .....</p>	844, 986, 1007, 1037, 1049
593	<p>Introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Social and Rehabilitation Services." .....</p>	844, 986, 1027, S-11, 25, 65
594	<p>Introduced by Roberts, Brand: A bill for an act entitled: "An act to require electrified railroads to maintain electrification facilities and continue electric operations; and to provide an effective date." .....</p>	863, 883
595	<p>to the Department of Health and Environmental Introduced by Fasbender, Marbut: A bill for an act entitled: "An act for the revision of laws relating</p>	

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	Sciences, and providing that this act is effective upon its passage and approval." .....	863, S-48, 49, 50, 51, 97, 106, 120, 145
596	Introduced by Turman, Driscoll: A bill for an act entitled: "An act to impose a tax on certain emissions of sulfur oxides." .....	863
597	Introduced by Baucus, Ulmer, Kimble, Regan: A bill for an act entitled: "An act appropriating one hundred twenty thousand dollars (\$120,000) from the general fund to the office of Ombudsman for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation." .....	864, 1009
598	Introduced by Brand, Cox, Glennen, Staigmillar: A bill for an act entitled: "An act allowing policemen and highway patrolmen to secure Social Security coverage, amending Sections 59-1102.1 and 59-1108, R.C.M. 1947." .....	864, 987
599	Introduced by Ulmer, Lucas: A bill for an act entitled: "An act permitting state agencies to contract with rehabilitation oriented agencies without competitive bidding." .....	931, 987
600	Introduced by Fashender, Marbut, Lund, Bardanouve: A bill for an act entitled: "An act for revision of the laws relating to the Department of Natural Resources." .....	1014, S-16, 25, 57, 65, 73
601	Introduced by Hall: A bill for an act entitled: "An act to transfer certain functions of the Board of Livestock and Department of Livestock, to the Department of Health and Environmental Sciences. and repealing sections 82A-1302 and 82A-1304, R.C.M. 1947." .....	1014
602	Introduced by Galt, Kvaalen, Kendall, Roberts, Yardley, Schepens, Prevost, Hubing, Brand: A bill for an act entitled: "An act to create a law enforcement fund within the county budget system of fifth sixth and seventh class counties and to provide a revenue source for the fund." .....	1014
603	Introduced by Tierney: A bill for an act entitled: "An act to be known as "The Election Reform Act of 1974"; to encourage wider citizen participation in the elective process, to eliminate the petition process required of independent and third party candidates; to amend sections 23-3304, 23-3318, and 23-3320, R.C.M. 1947; and providing an effective date." .....	1014, S-25
604	Introduced by Prevost, Galt, Schepens, Lien, Olson, Holtz, Turman, Glennen, Manuel, Fashender, Roberts, Murphy, Kvaalen, Nichols, Baucus, Huennkens, Staigmillar, Edland, Ainsworth, Smith, Marbut: A bill for an act entitled: "An act providing for a	



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	landowner preference system concerning antelope hunting licenses." .....	1034, S-99
605	Introduced by Greely, Murphy, Tierney, Stephens: A bill for an act entitled: "An act to authorize gambling at not more than ten (10) locations in Montana; and providing for regulation and taxing thereof." .....	1036
606	Introduced by Menahan: A bill for an act entitled: "An act amending Section 61-205, R.C.M. 1947, to require that all adoptions may be decreed only after written consent filed by the Department of Social and Rehabilitation Services or a licensed adoption agency in addition to any other consent required by law." .....	S-8, 19, 73
607	Introduced by Quilici, Lee, Lynch, McKittrick: A bill for an act entitled: "An act amending Section 40-4008, R.C.M. 1947, providing that the time allowed for filing of claims under disability insurance policies be extended from twenty (20) days to six (6) months." .....	S-8, 19
608	Introduced by Haines, Hall: A bill for an act entitled: "An act amending Section 4-404, R.C.M. 1947; providing for increases in the various liquor license fees." .....	S-32, 100
609	Introduced by Haines, Hall: A bill for an act entitled: "An act amending Section 4-403, R.C.M. 1947, abolishing the quota system for liquor licenses." .....	S-32, 100
610	Introduced by Turman, McKittrick: A bill for an act entitled: "An act amending Section 11-1704, R.C.M. 1947; providing that municipal judges' salaries be set by City Ordinance." .....	S-32
611	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide for waiver by the regents of the Montana University System of non-resident tuition for selected and approved nonresident student athletes consistent with numbers allowable under athletic association or conference regulation." .....	S-37, 57, 75, 76, 86, 92, 107, 143, 155, 164
612	Introduced by R. Harper, Hall, Hager, Turman, Lee, Baucus, McKittrick, Murphy, Quilici, Regan, Stoltz, Fleming, Greely, Menahan, Lombardi, Lynch, Healy, Bennetts, Edland, Brand, Fasbender, Bardanouve, Swanberg, Towe, Bell, Warfield, Holmes, Gunderson, Kosena, Johnston, Jacobsen, Manuel, Colberg, Hodges, Kimble, Bradley, Roberts, Driscoll, Mehrens, Brown, Staigmiller: A bill for an act entitled: "An act providing for small claims courts, providing for the procedures therefor and the limits of jurisdiction thereof, providing for the appointment of officers	

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	and judges thereof and for the salaries and duties thereof." .....	S-56
613	Introduced by Committee on Local Government: A bill for an act entitled: "An act to create a law enforcement fund within the county budget system and to provide a revenue source for the fund." .....	S-56, 60, 76, 94, 95, 97
614	Introduced by Marbut, Fasbender: A bill for an act entitled: "An act to appropriate moneys for support of school district special education programs for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." .....	S-56, 180
615	Introduced by Barrett, Asbjornson, Lynch, Marks, Gunderson, Yardley, Hubing, East, Kvaalen, Cox, Lucas, Ulmer, Aageson, Forsgren, Warfield, Cotton, Zimmer, Hageman, Johnston, Kosenka, Tierney, Murphy, Olson: A bill for an act entitled: "An act exempting certain general fund budget expenditures in excess of the general fund budgetary increase limitations of Section 75-6923, R.C.M. 1947, subject to approval of the superintendent of public instruction." .....	S-56, 142
616	Introduced by Kimble, R. Harper: A bill for an act entitled: "An act to regulate consumer reporting agencies operating in Montana." .....	S-75
617	Introduced by Lund, Fasbender: A bill for an act entitled: "An act for the revision of the laws relating to the Department of Agriculture." .....	S-105
618	Introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to change the adjusted gross income exemption of federal retirement income from thirty-six hundred dollars (\$3,600) to eighteen hundred dollars (\$1,800), to establish a minimum age for the exemption, and providing an effective date." .....	S-105, 121
619	Introduced by Bell, Kvaalen, Brand, Cox, Mehrens, Lockrem, Lynch, Menahan, Marks, Baeth, Hubing, Quilici, Lucas, Lee, Lombardi, Halvorson, Healy, Marbut, Barrett, Schye, Colberg, R. Harper: A bill for an act entitled: "An act to provide for an honorarium to each resident of Montana in military service in the Vietnam area during the Vietnam War between August 5, 1964 and March 31, 1973: to provide that the honorarium shall be in the form of a credit against state personal income tax for the taxable years 1974, 1975 and 1976; and to provide penalties for violations." .....	S-130
620	Introduced by Bardonou: A bill for an act entitled: "An act providing that special education money may be expended only for special education pro-	

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	grams; providing accountability for such moneys; and providing that unexpended moneys may carry over from year to year." .....	S-140
621	Introduced by Brand: A bill for an act entitled: "An act amending Section 66-3208, R.C.M. 1947; classifying the level of experience required for licensing as a psychologist; and providing that certain persons employed as psychologists by the state on the effective date of this act may be licensed as psychologists." .....	S-140
622	Introduced by Burnett, Kolstad: A bill for an act entitled: "An act to amend Section 26-1001, R.C.M. 1947, to provide that all fines and bonds collected under the provisions of Title 26, R.C.M. 1947, shall be deposited in the general fund of the county in which the offense is committed; and providing an effective date." .....	S-144
623	Introduced by Galt, Hager, Hageman, Walborn, Burnett, Lien, Schepens, Laas, Hubing, Kolstad, Marks, Prevost, Asbjornson: A bill for an act entitled: "An act to amend Section 26-104, R.C.M. 1947, eliminating the condemnation power of the Montana Fish and Game Department." .....	S-144
624	Introduced by Shelden: A bill for an act entitled: "An act amending Section 11-3819, R.C.M. 1947; providing that members of city-county planning boards may be reimbursed for transportation expenses incurred in attending planning board meetings." .....	S-144
625	Introduced by Lee: A bill for an act entitled: "An act relating to motion picture theater employees and obscene motion pictures." .....	S-157
626	Introduced by Murphy: A bill for an act entitled: "An act to amend Section 8-101, R.C.M. 1947, to provide regulation by the Public Service Commission of carriers other than carriers "for hire." " .....	S-166
627	Introduced by Kvaalen, Schepens, Prevost, Olson: A bill for an act entitled: "An act appropriating money to the Department of Fish and Game for participation on, and contribution to, the South Sandstone Waterspreading and Recreation Project in Fallon County, Montana; and prohibiting expenditure of such money until all funds necessary for completion of project are available and committed." .....	S-172
628	Introduced by Bradley, Fasbender, Towe, Swanberg, Bennetts, Huennekens, Colberg, Watt, Brown, Tierney, Gerke, Ainsworth, Baucus, Nichols, Driscoll, Cox, Turman, Marbut, Staigmiller, Hall: A bill for an act entitled: "An act to acknowledge the exist-	

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	ence of natural and potentially natural areas in the state and to provide for the protection of these areas." .....	S-172
629	Introduced by Stephens, Gunderson, Lien, Manuel, Edland: A bill for an act entitled: "An act requiring public utilities to maintain their facilities on certain farm lands." .....	S-175
630	Introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to repeal the exemption from adjusted gross income for benefits received under the Federal Employees Retirement Act." .....	S-176
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1	Introduced by Fasbender, Lockrem, Hall: A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings. ....	3, 4, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32
2	Introduced by Murphy, Laas: A Resolution of the House of Representatives of the State of Montana extending its sympathies and condolences to the family of Stanford "Bay" Skelton. ....	59, 80, 111, 129, 834
3	Introduced by Holmes, Hodges, Huennekens, H, Harper, Greely, Bennetts, Kendall, Halvorson, Kimble, Stoltz, R. Harper, Towe, Bradley, Murphy, Laas, Regan, Hager, Fagg, Yardley: A Resolution of the House of Representatives of the State of Montana requesting the Department of Administration to recommend to all state agencies to make use of recycled paper wherever feasible. ....	104, 140, 149, 175, 177, 848, 853, 855
4	Introduced by Schepens, Stoltz, Stephens, Jacobsen, Gunderson, Hageman, Greely, Laas, Zimmer, Edland, Staigmiller, Prevost, Colberg, Regan, Hubing, Baeth, Hodges, Bradley, Swanberg, Lee, Nichols, Brand, Kosena, Lund, Murphy, Roberts, Driscoll, Clemow, Flynn, Baucus, R. Harper, Lombardi, Bennetts, Lien, Lynch, Menahan, Johnston, Marbut, Campbell, Gerke, Marks, Hall, Shelden, Healy, McKittrick, Kimble, Manuel, Huennekens: A Resolution of the House of Representatives of the State of Montana urging the President of the United States to restore funding of federal rural development programs vital to the economy of Montana. ....	114, 182, 305, 389, 429, 848, 853, 855
5	Introduced by Stoltz, Gunderson, Manuel, Johnston,	



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6	Introduced by Huennekens, Johnston: A Resolution of the House of Representatives of the State of Montana requesting the United States Senate and the United States House of Representatives to implement fully by statute the multiple use concept on federal lands. ....	242, 370, 389, 429, 848, 853, 855
7	Introduced by Tierney, Swanberg, Watt: A Resolution of the House of Representatives of the State of Montana requesting the House Taxation Committee to conduct a comprehensive study of the tax structure in the State of Montana and to report its findings and recommendations to the 1974 Session of the Forty-third Legislative Assembly. ....	252, S-100
8	Introduced by R. Harper, Kimble: A Resolution of the House of Representatives of the State of Montana requesting the Department of Institutions to consider establishing a special facility for receiving patients requiring treatment for alcoholism and to report its findings to the Legislative Council prior to the 1974 Session of the Forty-third Legislative Assembly. ....	338, 480, 518, 610, 612, 613, 848, 853, 855
9	Introduced by Haines: A Resolution of the House of Representatives of the State of Montana asking the governor and Montana's congressional delegation to do everything in their power to save the historic Old Brewery Theatre as a prominent jewel in the history of theatre in Montana. ....	338, 367, 389, 429, S-172
10	Introduced by McKittrick, Greely, Staigmillier: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council prepare an inventory of all state lands and maps which show the location of state lands, and submit the inventory and maps to the 1974 Session of the Forty-third Legislative Assembly. ....	338, 469, 480, 511, 848, 853, 855
11	Introduced by R. Harper, Bennetts, Kimble: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council study construction standards for mobile homes and the problems of enforcing these standards and submit a report of its findings and recommendations to the 1974 Session of the Forty-third Legislative Assembly. ....	361, 485

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12	Introduced by Zimmer, Marks: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council review, recodify, clarify and suggest improvements to the Montana Codes relating to fire department organization, authority, duties, functions and related activities, reporting their findings and recommendations to the Forty-fourth Legislative Assembly.	422, 708, 725, 788, 790, S-73, 77
13	Introduced by R. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Anaconda Company to retain the Columbia Gardens at its present location and operate it for the people of Butte and Montana.	422
14	Introduced by Hager, Cotton, Bardanouve, Laas: A Resolution of the House of Representatives of the State of Montana requesting that the boards of county commissioners of Montana's several counties make all possible efforts to post dangerous curves on the county roads of the State.	460, 759, 845, 846, S-172, 185
15	Introduced by Bennetts, Watt, Murphy, H. Harper, R. Harper, Bradley, Jacobsen, Cotton, Baucus, Kimble, Hodges, Gunderson, Regan, Lee, Quilici, Fleming, Towe, Lynch, Kosena, Menahan, Flynn, Baeth, Healy, Stoltz, Roberts, McKittrick, Holmes, Lombardi, Kendall, Shelden, Driscoll, Turman, Marbut: A Resolution of the House of Representatives of the State of Montana to urge the President of the United States to reinstate funding for economic opportunity act programs.	668, 759, 776, 845, 846, S-73, 77
16	Introduced by Greely, McKittrick, Swanberg, Staig-miller, Tierney, Hodges, Gunderson, Regan, Fas-bender, Towe, Holmes: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to conduct a comprehensive study of election laws and to draft model legislation.	668, 760, 790, 845, 847, 848, S-172, 185
17	Introduced by Marks, Castles, Campbell, Lee, Menahan, Lombardi, Bennetts, Bell, H. Harper, Healy, Quilici, Flynn, Schepens, Lynch, Baeth, Mehrens, Olson, Kvaalen, Prevost: A Resolution of the House of Representatives of the State of Montana to endorse and respectfully honor the work of the foster grandparent program in the State of Montana.	690, 842, 853, 918, 919, S-173, 185
18	Introduced by Marks: A Resolution of the House of Representatives of the State of Montana granting	

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19	Introduced by McKittrick, Lockrem, R. Harper, Quilici, Lee, Fleming, Edland, Healy, Lombardi, Fagg, Murphy, Hageman, Stoltz, Lucas, Lynch, Mehrens, Johnston, Galt, Nichols, Menahan, Kolstad, Cox, Baeth, Kosena, Glennen, Walborn, Smith, Olson, Barrett, Asbjornson, Jones, Norman, Gerke, Staig-miller, Regan, Haines, Seifert, Kvaalen, Fasbender, Hall, Ulmer, Bell, Campbell, Clemow, Holtz, Aageson, Selstad, Burnett, Kessner, Forsgren, Jacobsen, Driscoll: A Resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to adopt an amendment to the United States Constitution which will reinstate the right of the states to protect the right of an unborn human being to life and offer the Constitutional Amendment to the states for ratification. ....	783, 841, 884, 919, S-73, 98
20	Introduced by Committee on Labor and Employment Relations: A Resolution of the House of Representatives of the State of Montana requesting the Department of Labor and Industry, Workmen's Compensation Division, to further amend its interim safety order of April 5, 1971, amended January 1, 1973, relating to low-pressure steam and hot water boiler operation. ....	784, 917, 924, 994, S-73, 77
21	Introduced by Asbjornson, Barrett, Kolstad, Aageson, Schye, Murphy, Laas: A Resolution of the House of Representatives of the State of Montana requesting the Congress of the United States to provide funds for a study of Judith River. ....	818, 841, 842, 853, 918, 919, S-73, 77
22	Introduced by Zimmer, Lundgren, Selstad, Halvorson, Brown, Jones: A Resolution of the House of Representatives of the State of Montana supporting Senator Mike Mansfield's Senate Joint Resolution 25 authorizing and requesting the President to establish a "National Next Door Neighbor Day". ....	818, 857, 881, 918, 919, S-73, 77
23	Introduced by Tierney, Turman, Murphy, Bennetts: A Resolution of the House of Representatives of the State of Montana to urge the President of the United States to reinstate funding for economic opportunity act programs. ....	844, 857, 881, 918, 920, S-73, 77
24	Introduced by Kimble, Bradley, Colberg, R. Harper, Huennekens, Regan, Holmes, H. Harper, Driscoll, Roberts, Norman, Bennetts, Baucus: A Resolution of the House of Representatives of the State of Montana requesting industries engaged in strip	

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25	Introduced by Murphy, Laas, Kolstad, Aageson: A Resolution of the House of Representatives of the State of Montana beseeching the President of the United States, the Secretary of Health, Education and Welfare, and the Congress of the United States to protect and preserve the effectiveness and integrity of the regional medical programs. ....	907, 978, 1007, 1037, 1038, 1059, 1060, S-73, 77
26	Introduced by Cotton, Bardanouve: A Resolution of the House of Representatives of the State of Montana urging the Congress of the United States to amend the federal meat inspection act to allow the sale and processing of United States inspected and passed meat products by custom exempt plants to public institutions. ....	907, 986, 1007, 1037, 1038, 1061, S-73, 77
27	Introduced by Cotton, Bardanouve, Schepens, Jacobsen, Prevost, Edland: A Resolution of the House of Representatives of the State of Montana urging the Montana congressional delegation to propose legislation that would authorize the construction of an additional power generating plant at the Fort Peck Dam. ....	931, 1009, 1027, S-11, 173, 185
28	Introduced by Quilici, Lynch, Lucas, Ainsworth, Gerke: A Resolution of the House of Representatives of the State of Montana requesting the Legislative Council to study the operations of the Montana Horse Racing Commission, including a comparison of parti-mutuel racing practices in other states. ....	993, 1031, 1050, S-11, 19, 181, 185
29	Introduced by Kvaalen, Lucas, Ulmer, Tierney, Selstad, Cox, Glennen, Mercer, Hager, Galt, Lund, Warfield, Lockrem, Schye: A Resolution of the House of Representatives of the State of Montana urging the 43rd Legislative Assembly to address itself during the interim and the Second Session of the Legislative Assembly to analyzing the problem of attracting new industry to the state and the creation of a better business climate within the state. ....	993, 1009, 1027, S-11, 19, 20, 181, 185
30	Introduced by Kendall, Roberts, Healy, Baeth, Lee, Menahan, Kessner, Bradley, Shelden, Lynch, Lom-	



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31	Introduced by Brand, Yardley, Haines, Lee, Lynch, Lombardi, Warfield, Turman, Ainsworth, Marbut, Watt, East, Bennetts, Ulmer, Kimble, Baucus, Roberts, Kendall, Baeth, Shelden, Quilici, Healy, Kosena, Menahan: A Resolution of the House of Representatives of the State of Montana urging the institution of daily Amtrak service on the southern route in Montana. ....	1013, S-67, 92, 106, 107, 108, 158, 164
32	Introduced by Driscoll, Roberts, Mehrens, Marbut: A Resolution of the House of Representatives of the State of Montana requesting the President of the United States and the Administrator of social and rehabilitative services of the Department of Health, Education and Welfare to reconsider the new regulations governing assistance to mentally retarded persons. ....	1013, S-16, 25, 57, 58, 59, 173, 185
33	Introduced by Baeth, Shelden, Roberts, Kendall: A Resolution of the House of Representatives of the State of Montana to the Montana Fish and Game Commission, to the Honorable Thomas L. Judge, Governor of the State of Montana, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from the State of Montana, to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, to the United States Corps of Army Engineers and to the United States Forest Service urging the immediate construction and operation of a fish hatchery in Lincoln County, Montana. ....	1014, S-99
34	Introduced by Cox, Kvaalen, Marks, Mercer, Hager, Glennen, Ainsworth, Lien, Laas, Lucas, Lundgren, Quilici, Manuel, Kosena, Jacobsen, Lockrem, Barrett, Galt, Warfield, Haines, Rolfe, Burnett, Ellerd, Forsgren, Asbjornson, Nichols: A Resolution of the House of Representatives of the State of Montana declaring independent businessmen and Montana taxpayers to be among the endangered species of the State. ....	1034, S-23, 24
35	Introduced by Lucas, Ulmer, Schepens: A Resolution of the House of Representatives of the State of Montana urging the Army Corps of Engineers and other federal agencies to construct levees or dikes	

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36	Introduced by Holmes, Gerke, Baucus, R. Harper, Turman, Kimble, Stoltz: A Resolution of the House of Representatives of the State of Montana requesting the Congress of the United States of America to enact legislation extending the Community Mental Health Centers Act beyond June 30, 1973; to appropriate funds for new federally approved staffing grants; and to urge the President of the United States to sign such extension into law and release such appropriation for approved use. ....	S-32, 66, 99, 132, 133, 134, 158, 164
37	Introduced by Haines, Prevost, Kosena, Asbjornson, Nichols, Holtz, Regan, Lynch, Manuel, Johnston, Lund, East, Fleming, Gerke, Hall: A Resolution of the House of Representatives of the State of Montana directing Francis Bardanouve to present a silver inlaid saddle to his grandson in token of his love and affection. ....	S-57, 59
38	Introduced by Bardanouve: A Resolution of the House of Representatives of the State of Montana amending the Joint House and Senate Rules to delete the requirement that bills be read by history and section in the committee of the whole. ....	S-75
39	Introduced by Halvorson, Fagg, Lucas, Ulmer, Cox, Asbjornson, Sheldon, Marks, Watt, Lien, Jacobsen, Laas, Manuel, R. Harper, Lee, Johnston, Fleming, Stephens, Baeth, Lombardi, Healy, Kosena, Menahan, Towe, Swanberg, Tierney, Hubing, Barrett, Campbell, Jones, Lund, Schye, Castles, Bell, Kendall, Clemow, Mercer, Hager, Olson, Kessner, Gunderson, Hodges, Cotton, Edland: A Resolution of the House of Representatives of the State of Montana directing the Department of Administration to sell the desks and chairs of the House of Representatives at a public auction and to replace the chairs and to provide new desks with attached filing cabinets. ....	S-106, 152, 154
40	Introduced by Holmes, Cox, Regan, Flynn, Stoltz, Barrett, Forsgren, Gunderson, Fasbender: A Resolution of the House of Representatives of the State of Montana directing the units of the Montana State University System to adopt standardized incentives for faculty research and scholarship. ....	S-106
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	to utilize the findings of the legislative audit as soon as they become available. ....	S-139, 149, 157, 166, 168, 173, 185
42	Introduced by Fasbender, Kvaalen: A Resolution of the House of Representatives of the State of Montana directing that the chambers, offices, committee rooms, and work areas and their equipment and furnishings, be reserved for use only by the members of the legislature, its officers, committees, and staff during a legislative interim. ....	S-139, 150, 157, 166, 168, 173, 185
43	Introduced by Baucus, Forsgren, Holmes, Lynch, Marbut, Haines, Bennetts, Turman, Ainsworth, Bradley, Murphy, H. Harper, Towe, Watt, Halvorson, Fasbender, Kimble: A Resolution of the House of Representatives of the State of Montana thanking legislative interns for their work with the legislature and requesting the government and political science facilities of the units of the Montana University System to increase wherever possible their intern programs. ....	S-167, 168, 169, 173, 185
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2	Introduced by Murphy, Laas, Aageson, Tierney, Kolstad: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that all credits granted by units of the Montana University System be fully and equally transferrable among the several units. ....	56, 92, 111, 113, 117, 123, 148, 769, 834, 853, 855, 884, 946
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4	Introduced by Regan, McKittrick, Kolstad, Halvorson, Castles, H. Harper, Bennetts, Colberg, Yardley, Flynn, Kendall, Glennen, Stoltz, Cox, Baucus, Hager, Bradley, Brown, Gerke, Murphy, Hodges, Lynch, Jones, Tierney, Schepens, Towe, Lombardi, Greely, Schye, Bardanouve, R. Harper, Haines, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana ratifying the proposed amendment to the Constitution of the United States relating to equal rights on account of sex. ....	65, 92, 117, 123, 148
5	Introduced by Kosena, Bardanouve, Cox, Clemow, McKittrick: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to study the operations of the Water Resources Division of the Department of Natural Resources and Conservation. ....	69, 88, 99, 103, 106, 660, 692, 949, 1027, 1028, 1030, S-74
6	Introduced by Hodges, Kimble, Towe, Bradley, Greely, Baucus, Lynch, Shelden, Tierney, Roberts, Baeth, Kosena, Lombardi, Healy, Gunderson, Watt, Holmes, Jacobsen, Laas, Hageman, Cotton, Turman, Zimmer, Fasbender, Bennetts, R. Harper, Hall, Gerke, H. Harper, Barrett, Halvorson, Norman, Johnston, Colberg, Staigmiller, Edland, Huennekens, Mehrens, Kendall, Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the United States Senate and the United States House of Representatives to continue their efforts to end the conflict in Indochina by stopping the funding of the Indochina conflict and by reassigning these funds to undertake a massive public works program to solve our domestic, social, environmental, and energy problems. ....	69, 70, 100, 101, 135, 170, 202, 236, 651
7	Introduced by R. Harper, Stephens, Tierney, Driscoll, Gunderson, Kimble, Kosena: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to study the procedures and practices of regulation of insurance companies. ....	83, 154, 178, 200, 202, 232
8	Introduced by Tierney, Murphy, Kessner, H. Harper, Turman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending the establishment and maintenance of the Sun River Game Preserve. ....	89, 180, 191, 212, 220, 247



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9	Introduced by Turman, Bardanouve, Brown, Lucas, McKittrick, Kosena, Bradley, Baucus, Towe, Norman, Halvorson, H. Harper, Fasbender, Ainsworth, Tierney: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Environmental Quality Council to undertake a Montana Land Use Policy and Legislation Study and requesting the Governor to appoint a Montana Land Law Review Temporary Commission with inter-departmental and citizen participaton. ....	89, 305, 389, 429, 462, 478, 767, 788, SA829, 896, 897, 924, 990
10	Introduced by Holmes (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana designating Miss Montana as an honorary hostess of the State of Montana. ....	104, 178, 182, 190, 192, 219, 392, 429, 430, 462, 501, 778, 816, 895, 925, 935, 941, 1010
11	Introduced by Marbut, Olson, Bardanouve, Nichols, R. Harper, H. Harper, Norman, Holmes, Menahan, Lee, Brand, Mehrens, Kolstad, Lynch, Barrett, Galt, Shelden, Fagg, Colberg, Kendall, Watt, Zimmer, Aageson, Hodges, Stoltz, Stephens, Holtz, Turner, Warfield, Driscoll, Huennekens, Baucus, Gunderson, Smith, Brown, Manuel, Turman, Healy, Castles, Bradley, Baeth, Flynn, Kosena, Fleming, Hager, Bennetts, Lucas, Haines, Jacobsen, Ainsworth, Greely, Cox, Fasbender, Bell, Glennen, Lundgren, McKittrick: A Joint Resolution of the Senate and the House of Representatives of the State of Montana declaring the rights of mentally retarded persons as to opportunities for normalization. ....	114, 115, 140, 149, 175, 192, 219, 840, 935, 941, 942, 1050
12	Introduced by Manuel, Gunderson, Fleming, Kolstad, Staigmiller, Johnston, Hageman, Murphy, Stoltz, Stephens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting that the U. S. Congress take action to restore funds for the rural environmental assistance program and the water bank program. ....	115, 268, 315, 340, 347, 387, 524, 684, 706, 766
13	Introduced by H. Harper, Fagg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the appointment of a legislative subcommittee to study the financial feasibility and the recreational possibilities in the	

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14	Introduced by Turman, Ainsworth, Norman, Baucus, Huennekens, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council in consultation with the Montana League of Cities and Towns conduct a study of the laws relating to elections for cities and towns and to report its findings and recommendations together with any necessary legislation to the second session of the 43rd Legislative Assembly. ....	125, 438, 518, 610, 625, 636, 929, 975, 1028, 1030, S-3, 74
15	Introduced by Fagg, H. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Fish and Game Department to study the financial feasibility of creating a state park or state wilderness area in the Crazy Mountains. ....	402, 403, 404, 463, 511, 547, 582, S-7
16	Introduced by Baeth, Johnston, Manuel, Kendall, Fagg, Jones, Clemow, Zimmer, Laas, Fleming, Quilici: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Army Corps of Engineers to give maximum consideration to the maintenance of high-quality recreational opportunities in the development and execution of its operating plan for Lake Koocanusa and that the Corps of Engineers specify exact fluctuation limits and criteria in the operating plan. ....	158, 264, 276, 313, 366, 396, 397, 894, 931, SA-965 1050, 1051, S-13, 74
17	Introduced by Haines: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the director of the Montana State Historical Society to design a new state flag for adoption by the 1974 Legislative Assembly. ....	170, 171, 222, 286, 314, 330, 359, 862
18	Introduced by Towe, Huennekens, Norman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to determine an acceptable minimum level of services to be provided by county and city-county health departments, the feasibility of creating district public health departments, and	

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19	Introduced by Ellerd, Lien: A Joint Resolution of the Senate and House of Representatives of the State of Montana proposing an amendment to the 1972 Constitution of the State of Montana providing for biennial sessions of the legislature. ....	182, 399, 419, 420
20	Introduced by Aageson, Kolstad, Selstad, Laas, Flynn, Lynch, Bell, H. Harper, Tierney, Bradley, Lien, Murphy, Gerke, Quilici, Jones, Lundgren, Lucas, East, Marbut, Turman, R. Harper, Zimmer, Driscoll, Mehrens, Asbjornson, Towe, Huennekens, Colberg, Kendall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Federal Communications Commission to bar telecasting and broadcasting of projected election results until all polls involved in the election are closed. ....	182, 354, 370, 428, 462, 479, 768
21	Introduced by Cox, Smith, Walborn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging that all military cemeteries be administered by the Veterans' Administration and that the Custer Battlefield National Cemetery be granted more land. ....	183, 222, 237, 259, 366, 397, 894, 1000, 1028, 1030, S-3, 74
22	Introduced by Bardanoue, Bennetts: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the funding and operation of the various pension and retirement systems for public employees. ....	211, 252, 389, 429, 462, 479, 894, 1000, 1028, 1030, S-3, 74
23	Introduced by Ulmer, Marbut: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Administration to give priority in making purchases to products produced by handicapped persons in Montana and to provide a three percent (3%) price advantage to such products. ....	211, 366
24	Introduced by Brand, Norman, Colberg, Huennekens, Holmes, Hager, Marbut, Staigmiller, Gunderson, Hodges, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of	

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25	Introduced by Tierney, R. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study into the feasibility of conducting public schools on a twelve (12) month system and to report its findings and recommendations together with any necessary legislation to the Second Session of the Forty-third legislative Assembly. ....	226, 441, 442, S-77
26	Introduced by Towe, Bennetts, Baucus, Greely, Mehrens, Turman, Bardanouve, R. Harper, Ulmer, Lucas, Marbut, Ainsworth, Holmes, Huennekens, Lockrem, Kvaalen, Cox, Glennen, Mercer, Hager, Fagg, Hodges, Gunderson, Fasbender, Yardley, Stoltz, Kimble, Smith, Burnett, Kessner, Prevost, Kendall, Hubing, Shelden, Baeth, Lundgren, Turner, Ageeson, Seifert, H. Harper, Campbell, Clemow, Fleming, Laas, Bradley, Watt, Asbjornson, Nichols, Walborn, Schye, Tierney, Schepens, Roberts, Brown, Holtz, Castles, Marks, East, Edland, Jones, Jacobsen, Olson, Barrett, Bell, Hageman, Zimmer, Halvorson, Norman, Cotton: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the governor to appoint a commission to study the custodial needs of the state and to delay construction of a new facility at Montana state prison until the study is completed. ....	226, 950, 976, 1035, S-77
27	Introduced by Stoltz, Gunderson, Stephens, Manuel, Bardanouve, Baeth, Hageman, Johnston, Fleming, Lien, Fasbender, Kendall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the President of the United States to reinstate the Rural Electrification Act two percent (2%) interest direct loan program. ....	226, 227, 389, 408, 462, 485, 532, 726, 790, 799, 834, 928
28	Introduced by R. Harper, Tierney, Stephens, Hodges, Lynch, Watt, Fleming, Prevost, Towe, Norman, Gunderson, Greely, Johnston, Turman, Olson, Fagg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Board of Hearing Aid Dispensers study the advisability of requiring that sales of hearing aids be on the recommendation of a certified physician or an audiologist. ....	242, 444
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30	Introduced by Johnston, Norman, Huennekens, Forsgren, Barrett, Edland: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging Montana school boards to grant a preference to teachers educated in Montana and encouraging the boards to employ them whenever possible. ....	242, 442, 463, 511, 547, 582, 583, 907
31	Introduced by Bardanouve, Kosena, Menahan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Fish and Game to review water resource projects to determine outdoor recreational potential prior to sale or disposition of the projects by the Department of Natural Resources and Conservation. ....	254, 405, 431, 473, 485, 532, 1012, S-25, 37, 42, 127
32	Introduced by Bardanouve, Nichols: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the office of state treasurer. ....	254, 306, 330, 364, 389, 426, 427, 780, 884, 886, 896, 946
33	Introduced by Lien, Edland, Stoltz, Johnston, Huennekens, Staigmilller, Schepens, Seifert, Lund, Smith, Hubing: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the environmental quality council to study reclamation of abandoned oil and natural gas fields and locations. ....	254, 525, 564, 611, 625, 636, 1010
34	Introduced by Colberg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to study the results of the Oregon Bottle Act and the Washington Litter Act. ....	254, 255, 483, 518, 610, 625, 637, 780, 789, SA829, 884, 885, 886, 896, 946
35	Introduced by Shelden, Baeth, Halvorson, Manuel, Staigmilller, Huennekens, Colberg, Gunderson, Murphy, Yardley: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for the adoption of a proposal for planning Montana's Land Resources as a basis for a state land use policy. ....	268, 525, 526, 564, 610, 625, 637, 710

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36	Introduced by Huennekens (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Board of Natural Resources and Conservation to investigate the feasibility of disposing of or abandoning the Daly Ditch Irrigation Project. ....	268, 556
37	Introduced by Lien, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Indian Public Health to provide medical assistance to off-reservation Indians. ....	291, 480, 518, 610, 625, 637, S-7, 19, SA34, 76, 77, 134, 190
38	Introduced by R. Harper, Fleming, Regan, Brand, Lynch, Murphy, McKittrick, Mehrens, Kolstad, Quilici, Cox, Norman, Healy, Driscoll, Menahan, Lockrem, Fagg, Ulmer, Schepens, Lee, Baeth, Zimmer, Lucas, Fasbender, Edland, Laas, Kosena, Stephens, Stoltz, Jacobsen, Aageson, Staigmiller, Glennen, Prevost, Johnston, Hall, Jones, Lombardi, Nichols, Barrett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting Montana's Congressional Delegation to sponsor an amendment to the U. S. Constitution guaranteeing the right to life. ....	818, 891
39	Introduced by Bennetts, Fasbender, Healy, Haines, Lynch, Lombardi, Lee, Quilici, Sheldon, Baeth, Brown, Lundgren, H. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting passage of a congressional bill relating to vocational training for potential parolees from state penal institutions. ....	S-157



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2	Introduced by Groff, Lynch, Turnage, Bollinger, Moore: A bill for an act entitled: "An act relating to the organization and procedures of the Forty-third Legislative Assembly; prescribing the duties and compensation of legislative employees; and specifying an effective date." .....	34, 53, 54, 55, 59
3	Introduced by Lynch, Moore, (by request): A bill for an act entitled: "An act complying with Article II, Section 20 of the 1972 Montana Constitution, by changing the size of a grand jury and the number required to find an indictment; amending Section 95-1401, 95-1402, 95-1410, 93-1801, and 93-1802, R.C.M. 1947." .....	74, 76, 80, 108, 154
4	Introduced by Lynch, Moore: A bill for an act entitled: "An act complying with Article II, Section 26 of the 1972 Montana Constitution, by providing for waiver of a jury trial and less than twelve (12) jurors in felony trials and unanimity of all jurors to convict in misdemeanor trials; amending Sections 95-1901, 95-1915, and 95-2006, R.C.M. 1947." .....	82, 84, 106, 107, 117, 130
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9	Introduced by Lynch, Moore: A bill for an act entitled: "An act implementing Article II, Section 14, 'adult rights' of the 1972 Montana Constitution, by providing persons eighteen (18) years of age or older with certain rights; and amending Sections 3-1503, 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-951, 11-1602, 11-1817, 26-915, 31-127, 31-128, 40-5324, 41-1135, 41-1136, 41-2304, 48-143, 59-301, 61-203, 64-101, 66-1305, 66-3208, 69-1509, 69-1604, 75-8702, 80-1415, 81-407, 81-908, 93-1301, 93-100-2, 94-2721, 94-3702, 94-35-106, and 94-35-106.2, R.C.M. 1947." .....	392, 397, 629, 658, 680, 726, 802
11	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to revise statutory references to the constitutional oath of office in accordance with the provisions of Article III, Section 3 of the Montana Constitution of 1972; amending Sections 11-719, 11-3326, 16-3204, 59-413, 72-102, R.C.M. 1947; and repealing Section 59-414, R.C.M. 1947." .....	92, 95, 123, 146, 161, 208
12	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to revise initiative and referendum administrative requirements to comply with the provisions of Article III, Sections 4 and 5 of the Montana Constitution of 1972; amending Section 37-101 through 37-105 and 37-107 through 37-109, R.C.M. 1947, and repealing Section 23-2701.1, R.C.M. 1947." .....	226, 231, 547, 657, 672, 710, 712, 724, 882, 883, 905 1009, S-118
13	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to amend Section 23-2602, R.C.M. 1947, to comply with Article IV, Section 1 of the 1972 Montana Constitution by requiring that all elections be by secret ballot." .....	92, 95, 124, 146, 161, 162, 208
14	Introduced by Moore, Lynch: A bill for an act entitled: "An act amending Section 23-2701, R.C.M. 1947, qualifications of voter, to comply with Article IV, Section 2 of the 1972 Montana Constitution and federal supreme court decisions by allowing individuals eighteen (18) years of age [and] or older to vote in all elections, amending the residency requirements, and restricting a felon's right to vote only while he is serving a sentence	

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16	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to comply with Article V, Section 2 of the 1972 Montana Constitution directing the Montana Districting and Apportionment Commission to provide for a House of Representatives of one hundred (100) members and for a Senate of fifty (50) members." .....	92, 95, 195, 213, 235, 253, 254, 306, 307, 314, 430, 501
17	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to amend Section 43-310, R.C.M. 1947, to implement Article V, Sections 5 and 6 of the 1972 Montana Constitution by providing that legislators be compensated for each legislative day, receive expenses seven (7) days a week, except during recesses, and receive mileage, expenses and twenty dollars (\$20) per day for attending legislative standing committee meetings and mileage for the pre-session caucus, raising mileage from nine cents (9¢) to twelve (12¢), and providing for an immediate and effective date." .....	254, 258, 287, 314, 320, 359, 360, 393, 650, 659, 708, 709, 711, 783
18	Introduced by Moore, Lynch: A bill for an act entitled: "An act implementing Article V, Section 6 of the 1972 Montana Constitution by creating procedures which enable the Legislature to call itself into special session; and providing for an immediate effective date." .....	596, 598, 926, 994, 1015, S-93
19	Introduced by Moore, Lynch (by request): A bill for an act entitled: "An act subjecting justices of the peace to impeachment to comply with Article V, Section 13(1) of the 1972 Montana Constitution; amending Sections 93-104 and 94-5401, R.C.M. 1947." .....	74, 76, 80, 91, 108, 154
20	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 94-5402, R.C.M. 1947, to comply with Article V, Section 13(3) of the 1972 Montana Constitution	

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	by requiring a vote of two-thirds of the members of the House of Representatives instead of a vote of a majority of the members to impeach a state officer." .....	92, 95, 124, 146, 162, 208
21	Introduced by Moore and Lynch: A bill for an act entitled: "An act implementing Article V, Section 14 of the 1972 Montana Constitution by providing for a Districting and Apportionment Commission; and providing for an effective date." .....	124, 128, 268, 283, 296, 297, 366, 923, 935
22	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 93-318, R.C.M. 1947, to remove the minimum jurisdictional amount for district courts to comply with Article VII, Section 4 of the 1972 Montana Constitution and to remove other superfluous language." .....	82, 84, 106, 117, 130, 170, 208
23	Introduced by Moore, Lynch: A bill for an act entitled: "An act providing for the minimum number of justices of the peace, their compensation, qualifications, terms of office, training and designation as county officers; providing for the collection of fees by justices and improvement of their facilities; abolishing fees in criminal actions; and deleting references to townships; all to comply with Article VII, Sections 5 and 7 of the 1972 Montana Constitution; amending Sections 11-727, 16-2403, 16-2404, 16-2406, 25-307, 93-401 through 93-403, 93-405, 93-704, 93-1602, 93-6601, 93-6602, 93-6706, 93-6903, 93-7302, 93-7311, 93-7402, 93-7605, 93-7607, 93-7704, 93-7709, 93-9705, R.C.M. 1947; and repealing Sections 25-303, 25-305 and 25-306, R.C.M. 1947." .....	240, 245, 804, 805, 845, 865, 905, 922, 923, S-67, 68, 102, 158
24	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act to provide for eight (8) year terms for the justices of the supreme court in accordance with Article VII, Section 7(2) of the 1972 Montana Constitution; amending Section 93-201, R.C.M. 1947; and repealing Sections 93-202 through 93-206, R.C.M. 1947, which are obsolete." .....	113, 195, 214, 235, 323
25	Introduced by Moore and Lynch (by request): A bill for an act entitled: "An act amending Section 93-302, R.C.M. 1947, to increase the term of office of district court judges from four (4) to six (6) years to comply with Article VII, Section 7(2) of the 1972 Montana Constitution." .....	113, 114, 195, 214, 235, 236, 323

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28	Introduced by Lynch, Moore: A bill for an act entitled: "An act providing for the filling of vacancies in the office of district court judge and supreme court justice to comply with Article VII, Section 8 of the 1972 Montana Constitution; repealing Sections 93-209, 93-220, 93-309, R.C.M. 1947."	319, 322, 834, 835, 836, 881, 918, 948, 954, S-4, 7, 14, 100, 101, 128, 158
30	Introduced by Lynch and Moore (by request): A bill for an act entitled: "An act to bring the qualifications of supreme court justices and district court judges in compliance with Article VII, Section 9 of the 1972 Montana Constitution, by raising the district court residency requirement from one (1) to two (2) years, providing for a five (5) year practice of law requirement and eliminating age requirements; amending Section 93-702, R.C.M. 1947, and repealing Section 93-701, R.C.M. 1947."	113, 114, 196, 214, 236, 336
32	Introduced by Lynch, Moore: A bill for an act entitled: "An act creating a judicial standards commission and specifying the composition and the qualifications of the members in compliance with Article VII, Section 11 of the 1972 Montana Constitution."	289, 293, 638, 658, 680, 681, 726, 802
33	Introduced by Lynch and Moore (by request): A bill for an act entitled: "An act placing the name of the supreme court justices and district court judges on the ballot in uncontested elections to comply with Article VII, Section 8(2) of the 1972 Montana Constitution."	113, 114, 194, 232, 246, 247, 277, 348
34	Introduced by Lynch, Moore (by request): A bill for an act entitled: "An act amending Section 93-2906, R.C.M. 1947, to delete reference to the 1889 Montana Constitution; and to rearrange subsection (4) to be more readable."	74, 76, 80, 91, 108, 109, 154
35	Introduced by Lynch and Moore (by request): A bill for an act entitled: "An act to consolidate all sections defining judicial districts into Section 93-301; amending Section 93-301, R.C.M. 1947, and repealing Sections 93-301.1, 93-301.2, 93-301.3 and 93-301.4, R.C.M. 1947."	113, 114, 268, 283, 297, 366
36	Introduced by Turnage, James: A bill for an act entitled: "An act to amend Sections 71-1716 and 71-1517, R.C.M. 1947, to include as persons eligible for medical assistance benefits persons who are	



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	not eligible for federal programs because of their income and to include medically needy children under twenty-one (21) years, including all children under twenty-one (21) who are in foster care; to provide further the order of priorities of distribution of the funds among these eligible." ....	124, 128, 224, 241, 301, 320, 345, 366
40	Introduced by Siderius and Deschamps: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Fish and Game, and providing that this act is effective upon its passage and approval." .....	905, 907, S-26, 27, 57, 63, 172
41	Introduced by James and McCallum: A bill for an act entitled: "An act establishing bluebunch wheatgrass as the official grass for the State of Montana." .....	113, 114, 966, 994, 1016, S-42
42	Introduced by James, Hall, Lowe: A bill for an act entitled: "An act to amend Sections 71-501 and 71-508, R.C.M. 1947 [to allow aid to dependent children for a child up to the age of twenty-two (22) years, providing such child is attending school and] to remove the requirement that counties supplement insufficient state appropriations for aid to dependent children, to make the child of unemployed parents eligible for welfare benefits and to repeal Section 71-508.1, R.C.M. 1947." .....	125, 128, 224, 241, 242, 301, 307, 1034, S-18, 186
43	Introduced by Carl: A bill for an act entitled: "An act to amend Section 75-6808, R.C.M. 1947, to allow all classes of school districts to contract without letting bids for less than four thousand dollars (\$4,000)." .....	377, 378, 647, 682, 697, 698, 802
44	Introduced by Carl: A bill for an act entitled: "An act amending Section 3-512, R.C.M. 1947, to provide that the State Grain Laboratory at Great Falls be the only one authorized to test public warehouse grain and that the fee charged for testing on appeal be commensurate with the cost." .....	113, 114, 966, 994, 1016, S-42
45	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 43-901, R.C.M. 1947, to change the name of the 'status of proceedings' to the 'daily journal'; and providing an effective date." .....	74, 76, 180, 200, 219, 220, 276
46	Introduced by Carl: A bill for an act entitled: "An act to amend Sections 82-3314 and 82-3317, R.C.M. 1947, to require the Department of Administration	

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	to provide for the independent full-time inspection of Montana's public school and municipal construction projects." .....	154, 158, 196, 214, 236, 348
50	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 82-2202, 82-2203, 82-2208, 82-2211 and 82-2212, R.C.M. 1947, to transfer the functions of the Secretary of State relating to printing and distribution of the House and Senate Journals and Session Laws to the Legislative Services Division of the Legislative Council; deleting from Section 82-2210, R.C.M. 1947, references to sidenoting; repealing Section 82-2204, R.C.M. 1947; and providing an effective date." .....	336, 337, 642, 682, 698, 802
51	Introduced by Groff, Bertsche, Moritz: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." .....	651, 652, S-37, 38, 39, 40, 41, 57, 63, 147
52	Introduced by Broeder: A bill for an act entitled: "An act to amend Section 53-712, R.C.M. 1947, to provide for a minimum proportional registration fee for interstate vehicles." .....	271, 272, 859
53	Introduced by Nees, Keenan: A bill for an act entitled: "An act to provide a definition of residency to determine county or state responsibility for financial support of general relief recipients; and to repeal Section 71-302, R.C.M. 1947." .....	572, 573, 660, 701, 712, 713, 836
54	Introduced by Groff, Thiessen: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975 and providing for other matters relating to the appropriations." .....	S-96, 97, 104, 105, 119, 161, 162, 163, 164, 168, 176, 182, 190
55	Introduced by Bertsche, Devine, Hall, McDonald, Sorenson: A bill for an act entitled: "An act amending Section 11-3215, R.C.M. 1947, to provide that candidates for the office of City Commissioner must file statements of such candidacy thirty-five (35) days prior to the primary election and specifying an immediate effective date." .....	34, 54, 57, 62
57	Introduced by Mathers, Graham, Moore, McDonald: A bill for an act entitled: "An act amending Section 81-433, R.C.M. 1947, providing for an increase in the grazing fee." .....	141, 146, 686, 721, 728, 802
59	Introduced by Keenan: A bill for an act entitled:	

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60	Introduced by Groff, Manning, Moritz, Turnage: A bill for an act entitled: "An act to amend Section 89-105, R.C.M. 1947, to require water user approval before capital improvements are made on water projects in cases where construction estimate is five percent (5%) or more above the original estimate." .....	154, 158, 761, 762, 830, 865, 1009
61	Introduced by Groff, Mathers, McOmber: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article VI, Section 10(1), of the 1972 Constitution of Montana deleting the five-day limit for gubernatorial veto." .....	226, 231, 300
62	Introduced by McKeon: A bill for an act entitled: "An act amending Section 66-411, R.C.M. 1947, by providing for licenses for hair styling schools, clinics, advanced barber training programs, or seminars." .....	170, 174, 722, 788, 830, 868, S-8
63	Introduced by Groff, Drake, McOmber, James, McCallum, Jensen: A bill for an act entitled: "An act providing for the automatic disincorporation of Montana cities and towns having populations of three hundred (300) or less and procedures for disincorporation by petition in cities or towns having populations of five thousand (5,000) or less; providing for elections to determine the question; establishing procedures for managing existing debt; defining the effect of disincorporation; and repealing Sections 11-306 and 11-307, R.C.M. 1947." .....	208, 212, 547, 657, 682, 692, 693, 802
64	Introduced by Himsl, James, Breeden: A bill for an act entitled: "An act to designate the President of the Senate or the Speaker of the House of Representatives should there occur a tie vote for the purpose of organizing either house." .....	103, 105, 200, 219, 254, 366
67	Introduced by Lynch and Flynn: A bill for an act entitled: "An act providing that no special risk classification may be established based on anything in a driving record which is three (3) years old or older; amending Section 40-3640, R.C.M. 1947." .....	197, 199, 369, 428, 458, 459, 664
68	Introduced by Lowe, Bertsche, Cochrane, Lynch: A bill for an act entitled: "An act to amend Section 16-1179, R.C.M. 1947, relating to county-owned	

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	Civic Center, Youth Center, Recreation Center; and increasing the tax levy." .....	154, 158, 252, 273, 285, 366
70	Introduced by Moore, McNamer: A bill for an act entitled: "An act amending Section 54-133, R.C.M. 1947, by removing the presumption to a deferred imposition of sentence for the first violation of possession of dangerous drugs by a person twenty-one (21) years of age or under." .....	319, 322, 613
71	Introduced by Moore, McNamer: A bill for an act entitled: "An act amending Section 54-132, R.C.M. 1947, by removing the presumption to a deferred imposition of sentence for the first violation of sale of dangerous drugs by a person twenty-one (21) years of age or under." .....	319, 322, 613, 658, 672, 673, 735
72	Introduced by Boylan, Deschamps, Groff, Turnage, Breeden, Flynn, Mathers, James, Lowe, Cochran, Story, Thiessen, Graham, Siderius, McOmber: A bill for an act entitled: "An act to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes without regard to the value it may have for other purposes; amending Sections 84-401 and 84-429.12, R.C.M. 1947." .....	S-96, 97, 100, 132, 133, 141, 172
73	Introduced by Drake: A bill for an act entitled: "An act removing references to the 1889 Constitution from the codes and amending or deleting other statutory language to make it comply with the 1972 Constitution; amending Sections 11-966, 11-1302, 11-2216, 11-3229, 16-2008, 16-2010, 16-2501, 16-2504, 16-2505, 16-3203, 19-103.1, 23-3012, 32-2601, 32-3802, 32-3804, 36-203, 36-205, 40-4705, 41-1603, 43-508, 46-1903, 59-203, 59-413, 60-125, 66-2604, 72-102, 75-5701, 75-5801, 75-5802, 75-6203, 75-6410, 75-7104, 75-8113, 79-1201, 79-1206, 79-1211, 79-1212, 79-1215, 79-2411, 81-101, 81-905, 81-1001, 81-1102, 81-1712, 82-501, 82-3801, 82-3802, 82-3803, 84-404, 84-701, 84-1901, 84-3804, 84-4713, 84-5214, 91-520, 93-4215 and 93-4216, R.C.M. 1947; and repealing Sections 3-101.1, 4-348, 16-405, 16-2407, 23-2701.1, 41-1609, 75-6410.1, 84-211, and 84-707, R.C.M. 1947." .....	336, 337, 549, 658, 673, 802
74	Introduced by Bollinger, Goodheart, Hazelbaker: A bill for an act entitled: "An act to delete the requirement that the state archivist establish a records management program; amending Section 82-3209, R.C.M. 1947." .....	254, 257, 258, 306, 320, 345, 431
75	Introduced by Nees, Mathers, Bollinger, Lowe: A bill for an act entitled: "An act to amend Section 66-2426, R.C.M. 1947, to provide for an ex-	



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	emption for water conditioner installers from regulation under the Board of Plumbing Examiners."	197, 199, 318, 340, 360, 430
77	Introduced by Zody and Thiessen: A bill for an act entitled: "An act amending Section 75-7810, R.C.M. 1947, relating to tuition and transportation payments for children attending an institution supported solely by funds of the State of Montana by providing that the provisions of such section shall apply to summer sessions of such institutions as well as the regular sessions of such institutions." .....	197, 199, 277, 314, 328, 430
78	Introduced by Zody, Thiessen: A bill for an act entitled: "An act amending Section 80-2310, R.C.M. 1947, relating to the establishment of a Mental Retardation Center at Glendive by authorizing such center to accept and admit mentally retarded persons not residing in Montana when the State of Montana has agreed to do so by agreement with any other state or the United States."	278, 281, 650, 682, 698, 699, 802
79	Introduced by McKeon: A bill for an act entitled: "An act amending Section 94-4203, R.C.M. 1947, relating to punishment for escapes from state prison by defining the term 'confined in state prison.'" .....	141, 146, 197, 214, 232, 246, 258, 275
80	Introduced by McKeon: A bill for an act entitled: "An act to provide consumer protection, no-fault motor vehicle insurance in the State of Montana."	595, 598, 836
81	Introduced by McKeon: A bill for an act entitled: "An act to provide freedom of choice, no-fault motor vehicle insurance in the State of Montana."	595, 600, 836
83	Introduced by Lynch: A bill for an act entitled: "An act amending Section 42-205, R.C.M. 1947, providing that both sessions of the Legislative Assembly shall meet on the first Monday in January." .....	572, 573, 761, 830, 865, 866, 1009
86	Introduced by McDonald, Goodheart, Breeden, Mathers: A bill for an act entitled: "An act providing for regulation of the various phases of the marketing and distribution of agricultural seeds intended for propagation purpose and restricting the methods of disposition of screenings that contain viable prohibited noxious weed seed; and repealing Sections 3-301 through 3-309, R.C.M. 1947." .....	197, 199, 897, 932, 951, 994, S-93
90	Introduced by McDonald, Mathers: A bill for an act entitled: "An act to amend Section 46-2508, R.C.M."	

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	1947, to require the examination be given to an applicant employed by or trained by an approved breeding service firm within ten (10) days upon request; and to amend Section 46-2515, R.C.M. 1947." .....	240, 245, 686, 721, 728, 729, 802
91	Introduced by Mathers, McDonald: A bill for an act entitled: "An act to amend Section 46-212, R.C.M. 1947, changing the basis for establishing livestock disease control areas from township boundaries to school district boundaries." .....	170, 174, 276, 313, 328, 366
92	Introduced by Thiessen, McDonald, Nees: A bill for an act entitled: "An act to amend Section 89-1208, R.C.M. 1947, to raise the compensation of irrigation district commissioners from ten dollars (\$10) to twenty dollars (\$20) and to provide a mileage allowance of nine cents (\$.09) per mile." .....	<del>289, 293, 687, 721,</del> 729, 836
94	Introduced by Bertsche, Cochrane, McCallum, Thiesen, Moore, Mathers, Bollinger: A bill for an act entitled: "An act creating 'The Montana Strip Mining and Reclamation Act' and providing for procedures for strip mining reclamation permits, reclamation plan requirements, methods of operation, and penalties; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." .....	596, 600, 805, 806, 807, 808, 809, 845, 863, 878, 879, 914, S-23
95	Introduced by Turnage, Groff, Moore, McKeon, Lynch: A bill for an act entitled: "An act to amend the unit ownership act to provide that lessees of a condominium unit may be treated as owners and to provide for sale of units before construction to be under the control of the Department of Business Regulations amending Section 67-2302 through 67-2305, 67-2314, 67-2319, 67-2322 and 67-2323, R.C.M. 1947." .....	501, 503, 666, 701, 713, 802
97	Introduced by Deschamps, Keenan, Lowe, Harrison, Northey, Bertsche, Cochrane, Flynn, Moritz, Broeder, Gilfeather, Hall, Jensen, Siderius, Breeden, Story, Klindt, Himsl, Shea, Drake, McDonald, Bennett, Rosell, Moore, Hazelbaker, McKeon, Vainio, Lynch, McCallum, McGowan, Carl, Sorenson: A bill for an act entitled: "An act amending Sections 32-2144 and 32-2145, R.C.M. 1947, by establishing a maximum speed limit of seventy (70) miles per hour for any vehicle operated or driven on any public highway in Montana; and by deleting provisions relating to a maximum nighttime speed limit." .....	308, 311, 803

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98	Introduced by McDonald, Lowe, Drake, Keenan: A bill for an act entitled: "An act amending Section 16-2041, R.C.M. 1947, to permit the Board of County Commissioners to use excess amounts from the sinking and interest funds for payment of additional expenses on the project for which a bond was sold." .....	336, 337, 627, 682, 693, 802
100	Introduced by Lynch: A bill for an act entitled: "An act amending Section 40-3640, R.C.M. 1947, to require that revenues when applying for a new liquor license or for the transfer of a liquor license." .....	197, 199, 200, 627, 682, 693, 701, 702, 724, 802
102	Introduced by McKeon: A bill for an act entitled: "An act to repeal Section 4-108, R.C.M. 1947, pertaining to the salaries of the State Liquor Administrator and his employees, in its entirety." .....	271, 272, 306, 320, 345, 346, 430
103	Introduced by Groff, Turnage, Lynch, McKeon, Gilfeather, Moore: A bill for an act entitled: "An act providing for a comprehensive state insurance plan and tort claims procedure to be known as the 'Montana Comprehensive State Insurance Plan and Tort Claims Act'." .....	595, 600, 804, 845, 908, S-42
104	Introduced by James, Himsl: A bill for an act entitled: "An act amending Section 75-5933, R.C.M. 1947, providing for the recommendation of the district superintendent, the county high school principal, or other principal, as the school district trustees may deem necessary before hiring personnel." .....	572, 573, 777, 830, 866, 1009
105	Introduced by James, Himsl: A bill for an act entitled: "An act amending Section 75-6112, R.C.M. 1947, requiring school district trustees to notify the district superintendent or the county high school principal in writing of their intent to terminate his services." .....	226, 231, 647, 682, 699, 802
106	Introduced by Groff, Bertsche, Thiessen, Gilfeather: A bill for an act entitled: "An act to amend Section 75-7204, R.C.M. 1947, to pay each school district's obligation for employer contributions to the Federal Social Security System from the schools district's retirement fund." .....	308, 311, 735, 736, 788, 820, 1009
107	Introduced by Graham, Sorenson, Hazelbaker, Moritz: A bill for an act entitled: "An act amending Section 53-626, R.C.M. 1947, relating to exemptions from additional truck, trailer, and bus fees; pro-	

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	viding that all vehicles lawfully displaying a licensed dealer's plate as provided in Section 53-122, R.C.M. 1947, and having a gross laden weight of less than twenty-four thousand (24,000) pounds, shall be exempt while in the process of demonstrations in the course of the dealer's business." .....	226, 231, 287, 314, 320, 346, 430
109	Introduced by Turnage, McKeon: A bill for an act entitled: "An act creating a Montana Criminal Code, to codify and generally revise the statutes concerning criminal offenses; and providing an effective date." .....	308, 311, 1051, 1052, 1053, 1054, 1055, S-8, 20, 55, 66, 110, 111, 128, 172
110	Introduced by Graham, Sorenson, Hazelbaker, Moritz: A bill for an act entitled: "An act amending Section 32-3201, R.C.M. 1947, relating to additional truck, trailer, and bus fees; providing that with respect to vehicles operating on the highways with a current rear windshield sticker issued under the provisions of Sections 53-109.1 and 53-109.2, R.C.M. 1947, such fees shall be due and payable at the time of registration of the vehicle." .....	226, 231, 287, 314, 320, 346, 430
112	Introduced by Klindt, Graham, Story, Shea, McOmber: A bill for an act entitled: "An act amending Section 93-9902, R.C.M. 1947, eliminating the problem of subsurface mineral rights being held by one (1) party and the surface rights in another under public uses for purposes of eminent domain." .....	595, 600, 758, 830, 866
113	Introduced by Lowe and Siderius: A bill for an act entitled: "An act providing for a definition of 'employer' in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and repealing Section 92-410, R.C.M. 1947." .....	549, 551, 664, 701, 713, 836
115	Introduced by Siderius: A bill for an act entitled: "An act providing certain housekeeping amendments and repeals to the Workmen's Compensation Act concerning the extent of coverage; amending Sections 92-209, 92-901, 92-902, 92-1102 and 92-1121, R.C.M. 1947; and repealing Sections 92-301 through 93-306 and 92-402 through 92-407, R.C.M. 1947." .....	550, 551, 664, 701, 713, 714, 766, 769, 800, 940, 948, S-93
116	Introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for the repeal of Sections 92-501, 92-503, 92-504, 92-505, 92-610 and 92-810, R.C.M. 1947, which are no longer necessary	



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	in the Workmen's Compensation Act, Title 92, R.C.M. 1947." .....	550, 551, 664, 701, 714, 802
117	Introduced by Lowe, Siderius: A bill for an act entitled: "An act providing for inclusion of the state fund within the definition of 'insurer' in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and entitled: "An act providing for a definition of	550, 551, 665, 701, 714, 802
118	Introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for a definition of 'temporary total disability' in the Workmen's Compensation Act." .....	550, 551, 665, 701, 720, 729, 802
119	Introduced by Siderius, Lowe: A bill for an act entitled: "An act providing for a definition of 'permanent partial disability' in the Workmen's Compensation Act." .....	550, 551, 665, 701, 714, 715, 802
120	Introduced by Keenan, Siderius: A bill for an act entitled: "An act providing for a definition of 'permanent total disability' in the Workmen's Compensation Act." .....	550, 552, 665, 701, 718, 729, 802
121	Introduced by Keenan and Siderius: A bill for an act entitled: "An act providing for a definition of 'wages' in the Workmen's Compensation Act; and repealing Section 92-423, R.C.M. 1947." .....	550, 552, 665, 701, 715, 768, 769, 800, 938, 939, 947, S-93
122	Introduced by McKeon, Siderius: A bill for an act entitled: "An act providing for compensation for injuries producing partial disability under the Workmen's Compensation Act; repealing Section 92-703, R.C.M. 1947." .....	550, 552, 665, 701, 715, 836
123	Introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries producing total permanent disability under the Workmen's Compensation Act; repealing Section 92-702, R.C.M. 1947." .....	550, 552, 814, 845, 873, 925
124	Introduced by Siderius: A bill for an act entitled: "An act providing for exempted employments from coverage under the Workmen's Compensation Act; and repealing Section 92-202, R.C.M. 1947." .....	596, 600, 814, 845, 866, 867, 906, 922, 923, S-53, 56, 65, 111, 112, 117, 158
125	Introduced by Siderius: A bill for an act entitled:	

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	"An act providing for a definition of 'independent contractor' in the Workmen's Compensation Act; and repealing Section 92-438, R.C.M. 1947." .....	550, 552, 814, 845, 373, 945
126	Introduced by McKeon: A bill for an act entitled: "An act providing for medical and hospital services approved by the Division of Workmen's Compensation to be furnished injured claimants under the Workmen's Compensation Act; repealing Section 92-706, R.C.M. 1947." .....	550, 552, 814, 845, 873, 945
127	Introduced by McKeon: A bill for an act entitled: "An act providing for election of employers and employees to come under the Workmen's Compensation Act; providing for actions against third party causing injury; providing for a right to subrogation; and repealing Section 92-204, R.C.M. 1947." .....	595, 600, 832, 881, 908, 947, 1005, 1006, S-55, 165, 185
128	Introduced by Bertsche, Siderius: A bill for an act entitled: "An act providing for a definition of 'average weekly wage' in the Workmen's Compensation Act; and repealing Section 92-422, R.C.M. 1947." .....	550, 552, 832, 881, 908, 1005, 1006, 1035, 1036, S-7, 93
129	Introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries producing total temporary disability under the Workmen's Compensation Act; repealing Section 92-701, R.C.M. 1947." .....	550, 552, 831, 832, 881, 908, 946, 1005, 1006, S-53, 68, 69, 128, 147
130	Introduced by McKeon, Siderius: A bill for an act entitled: "An act providing compensation for injuries causing death under the Workmen's Compensation Act; repealing Section 92-704, R.C.M. 1947." .....	550, 552, 814, 845, 873, 874, 925
131	Introduced by Siderius, Keenan: A bill for an act entitled: "An act providing for the nonexempted employments covered by the Workmen's Compensation Act; and repealing Section 92-207, R.C.M. 1947." .....	596, 600, 814, 845, 874, 1009
132	Introduced by Keenan, Siderius: A bill for an act entitled: "An act providing an increase in age	

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	from twenty-one (21) to twenty-two (22) years for an unmarried child to be a full-time student in an accredited school in the 'beneficiary' definition in the Workmen's Compensation Act, Title 92, R.C.M. 1947; and amending Section 92-413, R.C.M. 1947." .....	550, 552, 813, 845, 874, S-8
133	Introduced by Siderius, Lowe, Keenan: A bill for an act entitled: "An act providing for inclusion of the Division of Workmen's Compensation within the Joint Merit System." .....	595, 600, 702, 831, 881, 909, S-8
134	Introduced by Siderius: A bill for an act entitled: "An act providing for lowering the noise intensity level from one hundred (100) to ninety (90) decibels in the occupational deafness section of the Workmen's Compensation Act; amending Section 92-710, R.C.M. 1947." .....	550, 552, 813, 845, 909, S-42
135	Introduced by Keenan, Siderius: A bill for an act entitled: "An act providing for more than twenty-six (26) weeks of temporary total disability compensation benefits in cases of permanent injury in nonscheduled injuries; amending Section 92-709, R.C.M. 1947." .....	550, 553, 813, 846, 874, 875, 925
136	Introduced by Siderius: A bill for an act entitled: "An act providing for amendatory language to an existing funding procedure provided in a new section; and repealing Section 92-116, R.C.M. 1947." .....	572, 573, 813, 846, 875, 945
137	Introduced by Siderius: A bill for an act entitled: "An act providing for housekeeping deletion of language referring to major and minor dependents not residing in the United States at the time of the injury; amending Section 92-708, R.C.M. 1947." .....	571, 573, 574, 813, 846, 875, 925
138	Introduced by Siderius: A bill for an act entitled: "An act providing for a subsequent injury fund in the Workmen's Compensation Act; and repealing Section 92-709A, R.C.M. 1947." .....	595, 600, 813, 846, 875, 876, 945
139	Introduced by request by McCallum, Turnage, McOmber, DeWolfe, Sorenson, Goodheart: A bill for an act entitled: "An act amending Section 32-2805, R.C.M. 1947, increasing payment to county surveyors and members of county boards of commissioners to thirty-five dollars (\$35) per day for inspecting roads and construction work." .....	595, 600, 787, 789, 820, 1009, S-93
140	Introduced by Carl, Goodheart, Keenan, Mathers,	

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	Siderius, Lowe, Klindt, Vainio: A bill for an act entitled: "An act to amend Section 82-3319, R.C.M. 1947, regarding the appointment of architects and consulting engineers." .....	469, 470, 642, 682, 699
142	Introduced by McKeon: A bill for an act entitled: "An act providing for temporary leave of absence from Montana state prison for the purpose of attending the funeral of a relative, obtaining medical services not otherwise available, contacting prospective employers, or for any other reason consistent with approved rehabilitation and corrections practices; providing for the making of rules and regulations governing such temporary leave by the warden of Montana state prison; providing for the power to grant such temporary leave; and providing for an effective date." .....	852
146	Introduced by Devine, Hall, McDonald: A bill for an act entitled: "An act amending Section 11-1814, R.C.M. 1947, by providing for the abolition of residency requirements for policemen." .....	308, 311, 549, 658, 673, 735
147	Introduced by Carl, Keenan, Devine, Himsl, Drake: A bill for an act entitled: "An act amending Section 26-202.3, R.C.M. 1947, defining resident for purposes of the Fish and Game Act; eliminating the requirement of being a United States citizen; and reducing the time from six (6) months to ninety (90) days that the person be a resident of Montana." .....	336, 337, 661, 719, 730, 779, 781, 800, 836, 837, 862, 1009
148	Introduced by Carl, Siderius, Northey, Flynn: A bill for an act entitled: "An act amending Section 27-614, R.C.M. 1947, relating to license fees for food purveyors." .....	240, 245, 318, 340, 360, 431
149	Introduced by McKeon: A bill for an act entitled: "An act amending Section 21-103, R.C.M. 1947, providing 'irreconcilable differences' as an additional cause for divorce; and providing that the factual circumstances supporting that cause need not be pleaded in the particular." .....	308, 311, 614, 658, 673, 674, 945
150	Introduced by Carl, Siderius, McCallum, Goodheart: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, requiring nonresident juveniles under the age of eighteen (18) to have completed a course in the safe handling of firearms before purchasing a nonresident hunting license." .....	308, 311, 312, 628, 682, 693, 694, 802
154	Introduced by Flynn, Deschamps, Turnage, Groff:	



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	A bill for an act entitled: "An act to repeal Section 16-4711, R.C.M. 1947, eliminating emergency temporary interim zoning." .....	525, 526, 685, 686
155	Introduced by Drake, Bennett, Devine, Keenan, Himsl, Broeder, Northey, McKeon, Bertsche: A bill for an act entitled: "An act amending Section 11-2214, R.C.M. 1947, by providing an additional method of financing of pedestrian malls or offstreet parking improvement districts and for determining the assessment of each parcel within the district." .....	361, 362, 594, 658, 674
157	Introduced by Drake, Lowe, Himsl, Broeder, Klindt, Northey, McKeon, Bertsche: A bill for an act entitled: "An act amending Section 11-203, R.C.M. 1947, to provide that no new city or town can be incorporated unless it is more than three (3) miles from any existing incorporated city or town; and providing for an effective date." .....	377, 379, 548, 658, 674
159	Introduced by McKeon: A bill for an act entitled: "An act to provide for time and one-half pay for overtime for police officers." .....	596, 600, 758, 759, 800, 851, 881, 909, 910, S-8
160	Introduced by McOmber, Goodheart, Story, DeWolfe: A bill for an act entitled: "An act amending Section 89-1301, R.C.M. 1947, to raise the limit from ten thousand dollars (\$10,000) to twenty-five thousand dollars (\$25,000) for which irrigation district commissioners can contract for district business." .....	319, 322, 687, 721, 730, 802
161	Introduced by Carl, Story, James, Devine, Rosell: A bill for an act entitled: "An act to centralize review of school construction plans in the Department of Administration." .....	240, 245, 306, 321, 346, 347, 430
164	Introduced by Vainio, Devine, Lynch, McCallum, Hall, McKeon, Deschamps: A bill for an act entitled: "An act providing a free college education at Montana College of Mineral Science and Technology for children of any mining disaster victims." .....	361, 362, 570
166	Introduced by McKeon: A bill for an act entitled: "An act transferring the functions of the Department of Law Enforcement and Public Safety pertaining to electrical inspections and code making to the Department of Professional and Occupational Licensing, and providing an effective date." .....	271, 272, 449, 658, 674, 675
167	Introduced by Manning: A bill for an act entitled: "An act appropriating eight thousand six hundred twenty-one dollars and forty-two cents (\$8,621.42)	

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	to the Treasurer of Treasure County to rectify an inadvertent overpayment from the county to the state." .....	241, 245, 287, 314, 328, 431
170	Introduced by Bertsche, Lynch, Lowe: A bill for an act entitled: "An act prohibiting insurance companies issuing disability insurance policies in Montana from excluding therefrom coverage for services rendered an insured while a resident of a Montana State Institution, if such services would have been covered if rendered to an insured outside such institution; defining "Issued in Montana"; providing that such exclusion, if appearing in a disability insurance policy issued in Montana after the effective date of this act; is void; providing for rate of payment; and providing an effective date." .....	271, 272, 318, 340, 360, 361, 431
171	Introduced by Zody, Thiessen, Moore, Carl: A bill for an act entitled: "An act to amend Sections 75-7214 and 75-8211, R.C.M. 1947, to allow the trustees of a school district to expend funds collected for rental or lease of school buildings." .....	377, 379, 647, 682, 699
174	Introduced by Hazelbaker, Lynch: A bill for an act entitled: "An act amending Section 40-3649, R.C.M. 1947, by providing an annual fee for a license to act as a rating organization." .....	241, 245, 364, 445, 658, 675, 681, 700, 723, 925
175	Introduced by Goodheart, Turnage: A bill for an act entitled: "An act to amend Title 84, Chapter 18, R.C.M. 1947, by adding a new Section designated 84-1840.1, R.C.M. 1947, allocating funds to be used by the Department of Highways for the participation with railroads for erection of railroad grade crossing protection on roads and streets except those on the Interstate, primary or urban systems; providing for reimbursement of the fund at the beginning of each fiscal year; providing that the Department of Highways shall select the crossings to be protected and that participation be on the same basis as applicable on federal aid roads; authorizing counties and cities to use funds allocated to them from gasoline tax money for participating in grade crossing protection; repealing all acts and parts of acts in conflict herewith, provided, however, that Sections 72-164 to 72-168, R.C.M. 1947, inclusive, are not repealed; and providing that this act shall be effective on passage and approval." .....	308, 312, 899, 932, 951, 993, 1016, S-42
176	Introduced by Hall, Gilfeather, Harrison, Sorenson: A bill for an act entitled: "An act amending Sec-	

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	tions 75-7604, 75-7605 and 75-7607, R.C.M. 1947, relating to the requirements for textbook dealers to file a copy of all textbooks offered for sale to school districts with the Superintendent of Public Instruction; and to repeal Sections 75-7606 and 75-7611, R.C.M. 1947." .....	336, 337, 571, 658, 675
177	Introduced by Bertsche, Nees, Himsl, Broeder, Sorenson: A bill for an act entitled: "An act abolishing the Liquor Control Board and transferring its functions to the Department of Revenue and Board of Equalization; and repealing Section 82A-1805, R.C.M. 1947." .....	421, 781, 830, 868, 945
178	Introduced by Carl, James: A bill for an act entitled: "An act to amend Sections 69-3502, 69-3503, 69-3504, 69-3504.1, 69-3505, 69-3506, 69-3508, 69-3508.1, 69-3508.2, 69-3510, 69-3512, 69-3514, 69-3517, and 69-3518, R.C.M. 1947, all relating to the operation, occupancy, licensing and certification of motor boats and other vessels; providing for disposition of funds from licensing and fines arising from motor boat operation; providing for protection of navigational markers; prescribing penalties for violation; and providing an effective date." .....	595, 600, 601, 966, 967, 994, 1017, S-5, 7, 14, 52, 55, 66, 85, 118, 135, 142, 145, 148, 152, 153, 172
179	Introduced by Bertsche: A bill for an act entitled: "An act amending Section 82-1135, R.C.M. 1947, to define the type of cost plus system that is prohibited in awarding contracts for the State of Montana; and providing an effective date." .....	572, 574, 781, 830, 852, 863, 907
180	Introduced by Bollinger, Breeden, Himsl: A bill for an act entitled: "An act to amend the mileage allowance of all county officials; amending Section 59-801, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for all county officials; amending Section 59-802, R.C.M. 1947, to include all county officials' mileage allowance at twelve cents (\$.12) a mile; amending Section 16-2723, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for sheriffs; and amending Section 93-313, R.C.M. 1947, to set a mileage allowance of twelve cents (\$.12) per mile for traveling expenses of district judges." .....	571, 574, 898, 932, 956, S-93
182	Introduced by Moore, Lynch: A bill for an act entitled: "An act amending Sections 82-1010 and 82-1003, R.C.M. 1947, requiring publication of only	

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	comments or conclusions instead of the entire examiner's report." .....	595, 601, 707, 708, 787, 820, 821, 930, 1034, 1050, S-46, 47, 55, 118
183	Introduced by Bennett, Moore, DeWolfe, Sorenson: A bill for an act entitled: "An act to amend Section 16-2618, R.C.M. 1947, to require county commissioners and city and town councils to seek out best terms for deposits of money and deleting requirement for ratable distribution." .....	595, 601, S-16, 35, 62, 102, 158
184	Introduced by Nees, Bollinger, Lowe, McOmber, Goodheart, Turnage, McGowan, Moore, Graham, Zody: A bill for an act entitled: "An act amending Section 32-3602, R.C.M. 1947, allowing counties with more than six thousand (6,000) feet of bridges and less than twenty million dollars (\$20,000,000) taxable value an additional bridge levy of two (2) mills." .....	319, 322, 594, 658, 675, 676, 735
185	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 93-8625, R.C.M. 1947, to allow poor persons to commence or defend actions before administrative tribunals without being subject to costs." .....	271, 272, 465, 658, 676
186	Introduced by McKeon: A bill for an act entitled: "An act to repeal Section 66-1928, R.C.M. 1947, by eliminating the requirement that moneys credited to the Board of Real Estate not used by December 31 revert to the general fund." .....	377, 379, 687, 721, 730, 802
187	Introduced by Graham (by request): A bill for an act entitled: "An act to amend Sections 27-216, 27-221, 27-225 and 27-227, R.C.M. 1947, by including seed with those items to which pesticides are applied; to make the act applicable to public utility applicators; to set dealer's or retailer's license fee at five dollars (\$5.00) when applied for by an applicator; to require separate dealer's license for each outlet from which pesticides are obtained; to provide that licensed veterinarians and pharmacists need not be required to purchase license to sell pesticides; to set license fee of five dollars (\$5.00) for retailers selling only human insect repellent; and providing an effective date." .....	361, 362, 903, 932, 951, 995, S-93
189	Introduced by McKeon, Groff, Turnage, Lynch, McDonald, Harrison, Bollinger, Cochrane, Flynn, Hims: A bill for an act entitled: "An act requiring the office of the Governor to review the execu-	



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	tive branch of state government and report to the Legislature." .....	525, 526, 688, 721, 730, 731, 897
190	Introduced by Hazelbaker, Harrison, Groff: A bill for an act entitled: "An act amending Section 40-2726, R.C.M. 1947, by providing fees for filing policy forms and related papers with the insurance commissioner." .....	336, 337, 445, 640, 858, 918, 954, S-8
192	Introduced by Thiessen: A bill for an act entitled: "An act to amend Section 75-6915, R.C.M. 1947, to reconcile said section of law with Section 75-6902, R.C.M. 1947, by deleting the provision for a non-accredited school to receive county equalization moneys." .....	392, 397, 736, 788, 821, 945
193	Introduced by Thiessen: A bill for an act entitled: "An act to amend Section 75-6904, R.C.M. 1947, to redefine the eligibility of school districts for an average number belonging increase due to an unusual enrollment increase." .....	392, 398, 647, 701, 715, 716, 802
194	Introduced by Himsl, Manning: A bill for an act entitled: "An act to repeal Section 69-5219.1, R.C.M. 1947, pertaining to registration of registered medical facilities." .....	319, 322, 796, 830, 868, 869, S-8
195	Introduced by Himsl, Manning: A bill for an act entitled: "An act to add a new Section to Title 16, Chapter 43, R.C.M. 1947, relating to public hospital districts; providing for a definition of the term 'hospital facilities' as used in the Chapter." .....	319, 322, 796, 845, 867, S-8
196	Introduced by Himsl, Manning: A bill for an act entitled: "An act to revise Chapter 52 of Title 69 by broadening the provisions of and redefining the terms used under the section of chapter entitled 'definitions'; providing a new section in the chapter with respect to unlawful use of term in connection with name, signs and advertisements of facilities; revising the provisions for making rules; and amending Sections 69-5201 and 69-5213, R.C.M. 1947." .....	595, 601, 892, 932, 957, S-93
197	Introduced by Groff, Lynch: A bill for an act entitled: "An act to appropriate moneys for support of the public schools for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." .....	271, 272, S-159, 168, 177, 190
198	Introduced by Thiessen, Carl: A bill for an act en-	

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	titled: "An act amending Section 32-1123, R.C.M. 1947, to delete the requirement that implements of husbandry having a width in excess of twelve (12) feet moved or propelled upon the highway shall be followed by flagmen escorts." .....	572, 574, S-67
200	Introduced by Himsl, Mathers, Thiessen, Bertsche: A bill for an act entitled: "An act amending Section 82A-404, R.C.M. 1947, to abolish the Board of Trade and transfer its functions to the Department of Business Regulation; and repealing Sections 27-301 through 27-317, 70-201 through 70-233, and Section 82A-405, R.C.M. 1947." .....	501, 503, 688, 727, 770, 945
201	Introduced by Mathers, Thiessen, Bertsche: A bill for an act entitled: "An act to amend the Legislative Audit Act, Sections 79-2303 through 79-2312, R.C.M. 1947, renumbering and adding new Sections to incorporate major provisions of the model post-auditing act; providing that all post-audits be approved by the Legislative Audit Committee; providing for the Attorney General to act upon reported violations and providing a penalty." .....	597, 601, 898, 933, 951, 1039, S-147
203	Introduced by Lynch: A bill for an act entitled: "An act to allow the registered owner of a passenger motor vehicle registered with the Registrar of Motor Vehicles to obtain personalized license plates." .....	308, 312, 759, 830, 831, 845, 869, 945
204	Introduced by Hazelbaker, Deschamps: A bill for an act entitled: "An act to amend Section 76-107, R.C.M. 1947, to provide for supervisors in water conservation districts which include incorporated municipalities within its boundaries." .....	361, 362, 594, 658, 676, 735
207	Introduced by Carl, Lynch: A bill for an act entitled: "An act adopting the Western Interstate Nuclear Compact; and appropriating twenty thousand dollars (\$20,000) to pay membership expenses for the biennium beginning July 1, 1973." .....	525, 526, 776, 830, 844, 869, 945
208	Introduced by Turnage, Moore, Groff, Lynch: A bill for an act entitled: "An act requiring local governing bodies to adopt subdivision regulations; providing for the administrative establishments of procedures and requirements for preparation of subdivision plats setting forth requirements for surveying and platting divisions of real property and for recording surveys and plats; providing for surveying, platting, and sub-dividing generally; and repealing Sections 11-601 through 11-616, 11-3843 through 11-3848 and 11-3851, R.C.M. 1947." .....	571, 574, 721, 899, 900, 901, 902, 933, 957, S-6, 7, 14, 17, 52, 56, 65, 112, 113, 114, 115, 117, 119, 122, 123, 124, 125, 128, 172

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209	Introduced by James: A bill for an act entitled: "An act amending Section 69-2203, R.C.M. 1947, providing immunity of long-term care facilities when furnishing blood product transfusion services." .....	452, 459, 797
210	Introduced by James: A bill for an act entitled: "An act correcting certain errors and omissions and to clarify the intent of certain Sections of the 1971 Codification and General Revision of Title 76; and amending Sections 75-5916, 75-5941, 75-6303, 75-6410, 75-6412, 75-6508, 75-7810 and 75-8205, R.C.M. 1947." .....	319, 322, 613, 658, 676
211	Introduced by James: A bill for an act entitled: "An act amending Section 60-144, R.C.M. 1947, to require drillers to furnish cores and cuttings for core holes and tests less than one thousand (1,000) feet in depth." .....	452, 459, 762, 830, 869, 870, 925
212	Introduced by James: A bill for an act entitled: "An act amending Section 84-2207, R.C.M. 1947, to allow sixty (60) days for filing crude oil production and license tax statements and for payment of the tax; to provide that the statement and tax be sent to the Department of Revenue rather than the State Treasurer; to provide that overpayment of the tax be applied as a credit or refund; and providing an effective date." .....	289, 293, 831, 977, 1035, 1041, S-93
213	Introduced by James: A bill for an act entitled: "An act providing for legislative review of administrative rules." .....	525, 526, 781, 870, 945
214	Introduced by Boylan, Breeden, Thiessen, Bennett, Harrison, Lowe, Deschamps: A bill for an act entitled: "An act providing for the issuance of bonds by airport authorities; amending Sections 1-804, 1-912 and 1-916, R.C.M. 1947." .....	595, 601, 810, 811, 812, 880, 917, 954, S-5, 7, 14, 44, 45, 55, 125, 126, 143, 172
218	Introduced by Harrison, Bennett, Bertsche: A bill for an act entitled: "An act providing for all businesses to be classified similarly for store license fee purposes; amending Sections 84-2402, 84-2404, 84-2405, 84-2407 and 84-2410, R.C.M. 1947; and repealing Section 84-2406, R.C.M. 1947." .....	278, 281, 666, 719, 731, 945
220	Introduced by McGowan, Turnage, Mathers, James: A bill for an act entitled: "An act relating to membership of the Montana Horse Racing Commission; the terms of office thereon; providing a	

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	quorum for transaction of business; amending Section 62-503, R.C.M. 1947; and repealing Section 62-501, R.C.M. 1947.” .....	595, 601, 855, 856, 857, 918, 934, 975, 993, 1017
221	Introduced by McNamer, Sorenson: A bill for an act entitled: “An act to provide that county treasurers may take out memberships in certain organizations at the expense of the county.” .....	595, 601, 664, 720, 731, 802
222	Introduced by Turnage: A bill for an act entitled: “An act amending Section 5-518, R.C.M. 1947, to provide for state commercial and savings banks charging off unmarketable capital stock as an investment loss, as equivalent to sale thereof; and providing an effective date.” .....	278, 281, 627, 682, 694, 802
224	Introduced by Keenan, Carl: A bill for an act entitled: “An act amending Section 26-1008, R.C.M. 1947, requiring collectors of fish and game for scientific purposes to be representatives of accredited schools, colleges, universities or other institutions; permitting representatives of governmental agencies to collect fish or game for scientific study; limiting requirement for collectors’ permits or licenses to persons studying protected fish or game animals; providing for supervision of collectors’ qualifications by director of Fish and Game; allowing group use of permits; and requiring reports.” .....	336, 337, 338, 628, 682, 694, 802
225	Introduced by Bertsche, Mathers: A bill for an act entitled: “An act to repeal Section 79-813, R.C.M. 1947, relating to the disposal of property acquired from escheated estates; and provide an effective date.” .....	421, 649, 701, 716, 802
228	Introduced by Bennett, Lowe: A bill for an act entitled: “An act amending Section 16-1803.1, R.C.M. 1947, to include public work or construction projects divided into several projects which are constructed in different time periods or over an extended period of time.” .....	319, 322, 548
229	Introduced by Lowe, Bennett: A bill for an act entitled: “An act amending Section 11-1202, R.C.M. 1947, to include public work or construction projects divided into several projects which are constructed in different time periods or over an extended period of time.” .....	319, 323, 548
230	Introduced by Harrison, McGowan: A bill for an act entitled: “An act revising Section 89-702, R.C.M.	



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	1947, relating to the construction of dams and dikes, for drafting style and amending Section 89.702.1, R.C.M. 1947, relating to the jurisdiction of the Department of Natural Resources and conservation in inspecting dams." .....	571, 574, 762, 830, 870, 925
232	Introduced by McNamer, Groff: A bill for an act entitled: "An act determining the limitation for loans to a limited partner; amending Section 5-523, R.C.M. 1947." .....	549, 533, 665, 720, 731, 802
233	Introduced by Lynch: A bill for an act entitled: "An act amending Section 53-1020, R.C.M. 1947, to change the point of measurement of the allowable sound level for snowmobiles from fifteen (15) feet to fifteen (15) meters." .....	571, 574, 797, 798, 801, 880, 910, 950, 966, S-93, 183, 184
234	Introduced by Turnage: A bill for an act entitled: "An act granting to state banks the power to engage in any business or activity permitted to national banks with the consent of the department of business regulation." .....	278, 281, 627, 682, 694, 802
235	Introduced by Groff: A bill for an act entitled: "An act relating to the redemption of county, city, town and school district bond issues before maturity; and amending Sections 11-2304, 16-2011 and 75-7107, R.C.M. 1947." .....	377, 379, 777, 831, 880, 910, 1009
236	Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 82-2210, R.C.M. 1947, to delete reference to side noting and branding of Session Laws; repealing Section 82-2204, R.C.M. 1947, and providing an effective date." .....	336, 338, 613, 658, 677, 735
237	Introduced by Groff, Turnage, McOmber, Sorenson, Flynn, Mathers: A bill for an act entitled: "An act authorizing the Department of Revenue to investigate matters relating to public welfare payments; to institute civil and criminal actions for enforcement of the welfare laws; and to inspect state, county, or other agency records relating to public welfare matters." .....	595, 601, 841, 881, 910, S-8
238	Introduced by James: A bill for an act entitled: "An act amending Sections 75-6809, 75-6810, 75-6811 and 75-6812, R.C.M. 1947, to repeal the requirement that the county treasurer maintain duplicate accounting records for school districts and to allow	

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	school districts the option of issuing warrants in single copy or in triplicate copy." .....	595, 601, 602, 777, 831, 870, 871, 945
241	Introduced by McKeon: A bill for an act entitled: "An act to delete the requirement that a person afflicted by epileptic type seizures must not have experienced such a seizure within two (2) years prior to receiving a motor vehicle operator or chauffeur's license; and amending Section 31-127, R.C.M. 1947." .....	377, 379, 841
242	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 95-508, R.C.M. 1947, to require a hearing to determine a defendant's present mental condition after the defendant has been acquitted in a criminal proceeding by reason of a mental disease or defect excluding responsibility; and setting the burden of proof in such proceedings as a preponderance of the evidence." .....	549, 553, 706, 787, 821, 897
245	Introduced by McDonald, Story, Boylan: A bill for an act entitled: "An act amending Section 46-232, R.C.M. 1947, concerning the licensing of milk plants and dairies." .....	278, 281, 902, 933, 957, S-42
249	Introduced by Flynn, Lynch: A bill for an act entitled: "An act to amend Section 4-303, R.C.M. 1947, 'closing hours for license retail beer establishments,' by deleting any reference to biennial general or primary elections." .....	572, 574, 781, 782, 845, 876
250	Introduced by Flynn, Lynch: A bill for an act entitled: "An act to amend Section 4-414, R.C.M. 1947, 'hours for sale of liquor,' by deleting any reference to biennial general or primary election." .....	572, 574, 782, 845, 876, S-8
251	Introduced by Carl, McKeon: A bill for an act entitled: "An act to amend Section 78-1101, R.C.M. 1947, to provide how moneys received by the state as indemnification for damage to state buildings may be spent and providing an effective date." .....	572, 574, 575, 687
254	Introduced by Carl: A bill for an act entitled: "An act to provide that the fee of one dollar (\$1) for issuance of decals for snowmobiles shall be deposited with the state treasurer to the credit of the State Fish and Game Commission; amending Section 53-1025, R.C.M. 1947." .....	596, 615, S-27, 28, 57, 64, 101, 118, 136, 148, 149, 156, 172
258	Introduced by Deschamps, Northey, Hazelbaker, Nees, Moritz: A bill for an act entitled: "An act amend-	

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	ing Section 82-808, R.C.M. 1947, concerning registration fees in the Montana agriculture laws; and providing an effective date." .....	278, 281, 282, 686, 727, 770, 897
259	Introduced by Carl, Rosell, James: A bill for an act entitled: "An act amending Sections 82A-202 and 82A-1202, R.C.M. 1947, transferring the functions of the State Building Code Council from the Department of Law Enforcement and Public Safety to the Department of Administration." .....	501, 503, 688, 727, 770, 945
260	Introduced by Committee on Education: A bill for an act entitled: "An act amending Section 75-6608, R.C.M. 1947, relating to the procedures for application, approval, and criteria for the isolation of an elementary or high school." .....	377, 379, 736, 788, 821, 822, 925
261	Introduced by Lynch, Groff: A bill for an act entitled: "An act amending Section 75-6905, R.C.M. 1947, to raise the maximum budget schedules for elementary and high schools." .....	572, 575, 927, 994, 1017, S-93
269	Introduced by Turnage, Flynn, Siderius, James, Moore, Boylan, Lynch: A bill for an act entitled: "An act amending Section 11-3831, R.C.M. 1947, to require that a master plan include a study of available types of new housing." .....	525, 526, 527, 649, 701, 716, 836
270	Introduced by Broeder: A bill for an act entitled: "An act amending Section 11-2010, R.C.M. 1947, by clarifying distance requirements for cities, towns or fire districts established in an unincorporated area to contract to furnish or receive fire protection services; and to eliminate the one (1) mile requirement for service to public or private parties." .....	421, 422, 626, 682, 695, 802
273	Introduced by Gilfeather: A bill for an act entitled: "An act to amend Section 75-7116, R.C.M. 1947, to remove the taxpayer status as a requirement to vote in school district bond elections." .....	501, 503, 703, 737, 771, 781, 799, 825, 897
274	Introduced by Gilfeather: A bill for an act entitled: "An act to amend Sections 74-5914 and 75-5915, R.C.M. 1947, to allow write-in voting and elections on a regular school election day for first class school district trustee elections." .....	501, 503, 704, 737, 771, 925
275	Introduced by Flynn: A bill for an act entitled: "An act to amend Section 62-503 to pay members of	

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	the Board of Horse Racing; and providing an effective date." .....	272, 575, 782, 845, 876, 877, 925
276	Introduced by Goodheart, Keenan: A bill for an act entitled: "An act to amend Sections 16-4201, 16-4203, 16-4204, 16-4205, 16-4206, 16-4207, 16-4209 and 16-4211, R.C.M. 1947, defining persons qualified to petition for and providing percentage necessary for creating, stopping procedure, or dissolving a mosquito abatement district." .....	421, 422, 708, 787, 871, S-8
278	Introduced by Vainio, Bertsche, Turnage: A bill for an act entitled: "An act amending Section 92-1112, R.C.M. 1947, providing that the Division of Workmen's Compensation may request and encourage the Board of Investments to invest up to ten percent (10%) of the reserve of the Division in health care facilities in Montana." .....	595, 615, 945, 946
281	Introduced by McKeon: A bill for an act entitled: "An act for a new Chapter in Title 69, R.C.M. 1947, providing for the regulation of nonprofit health service corporations; and providing an effective date." .....	596, 615, 760, 761, 781
282	Introduced by Devine, Moore, Bennett, Lynch, Keenan, Gilfeather, Vainio: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, relating to group hospitalization, medical, health, including long-term disability, accident and/or group life insurance contracts or plans for the benefit of public employees and their dependents by increasing the employer contribution thereto." .....	469, 470, S-186
285	Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 11-1814, R.C.M. 1947, providing that every police officer shall meet the minimum qualifying standards for employment promulgated by the Board of Crime Control before employment." .....	525, 527, 594, 658, 677, 735
286	Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 82A-1207, R.C.M. 1947, by providing that the Board of Crime Control shall have the authority to establish minimum qualifying standards for employment of peace officers, require basic training for such officers, establish minimum standards for equipment and procedures and for advanced in-service training for such officers and establish minimum standards for any law enforcement training schools administered by the state or any of its political subdivisions or agencies; and providing an effective date." .....	501, 503, 594, 658, 677, 735



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287	Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 16-3705, R.C.M. 1947, providing that no person shall be appointed a special deputy sheriff, marshal, or policeman who does not meet the minimum qualifying standards for employment promulgated by the Board of Crime Control." .....	501, 503, 504, 594, 658, 678, 735
288	Introduced by Bertsche, Mathers, Moritz, Sorenson: A bill for an act entitled: "An act to include pupils in state institutional schools meeting eligibility requirements in the school food services program." .....	469, 470, 571, 658, 678
290	Introduced by Moore, Klindt: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Chiropodists to the State Board of Podiatry Medical Examiners and to change the name of the Board of Medical Doctors to the Montana State Board of Medical Examiners." .....	336, 338, 704, 774, 784, 1009
291	Introduced by James, Carl, Goodheart: A bill for an act entitled: "An act abolishing the Passenger Tramway Safety Board and transferring its functions to the Department of Fish and Game." .....	525, 527, 628, 682, 695, 802
292	Introduced by Zody: A bill for an act entitled: "An act to amend Sections 69-5601, 69-5602, 69-5603, 69-5604, 69-5605, 69-5607, R.C.M. 1947, relating to the definitions, administration of the act, rules and regulations, license fees, enforcement and related matters." .....	319, 323, 897, 933, 957, S-42
297	Introduced by Boylan, Breeden, McOmber: A bill for an act entitled: "An act designating the Department of Health and Environmental Sciences as the agency to administer state funds to be used for aiding local governments which were not entitled to state matching funds under the provisions of Section 69-4808.1, R.C.M. 1947, for construction of water pollution control facilities." .....	501, 504, 663, 664, 720, 732, 802
300	Introduced by James, Rosell, Harrison, Hazelbaker, Jensen, Bertsche, Turnage, Flynn, Lynch, Bennett: A bill for an act entitled: "An act providing for the identification, acquisition, restoration, enhancement, preservation and administration of scenic, historic paleontological, archaeological, cultural and recreational sites, and objects and providing for their use and enjoyment by the people; providing for a permit system for excavation of sites; providing penalties for violation of this act; providing that all acts or parts of acts in conflict with	

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	or within provisions of this act are hereby repealed; repealing Sections 62-301 and 62-314, R.C.M. 1947; and providing an effective date." .....	596, 615, 769, 883, 943, 944, 945, 1039, S-18, 23, 24, 83, 102, 158
301	Introduced by Mathers, Cochrane: A bill for an act entitled: "An act to amend Section 69-5217, R.C.M. 1947, to clarify the right of hospitals, hospital related facilities and long-term care facilities to establish general rules requiring standards of competency and rules of practice and procedure relating to all persons performing services in the hospital or other such facility; and to repeal Sections 94-3557 and 94-3558, R.C.M. 1947." .....	470, 891
303	Introduced by McKeon: A bill for an act entitled: "An act amending Section 84-4914, R.C.M. 1947, to establish new gross income standards for determining liability to file returns; and to provide requirements for filing returns by nonresidents." ....	572, 575, 977, 1035, 1041, S-93
304	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend Section 53-438, R.C.M. 1947, to prohibit the attachment of reduced limits endorsements to motor vehicle liability policies." .....	319, 323, 810, 880, 910, 911, 1009
306	Introduced by Darrow, Bertsche, Rosell, Graham, Deschamps, James, Bennett, Carl: A bill for an act entitled: "An act increasing the size of the Board of Natural Resources and Conservation from five (5) to seven (7) members; and amending Section 82A-1509, R.C.M. 1947." .....	596, 615, 858, 918, 933, 958, S-42
307	Introduced by McDonald, Mathers: A bill for an act entitled: "An act to implement Article XI, Section 3, of the 1972 Montana Constitution by providing for optional forms of county government; procedures to adopt and initiate an optional form of county government; adding county attorney and clerk of district court to the list of offices that may be consolidated; deleting the nonsuccession provisions for county treasurer; amending Sections 16-901, 16-2406, and 16-2412, R.C.M. 1947; and repealing Sections 16-2403, 16-2407, and 16-3901 through 16-3923, R.C.M. 1947." .....	597, 615, 664, 720, 732, 802
308	Introduced by McDonald, Boylan: A bill for an act entitled: "An act to provide for the establishment of requirements on milk for manufacturing purposes and its production and processing, known as the 'Manufactured Dairy Products Act'; repealing Sections 3-2488 through 3-24-137, R.C.M. 1947." ....	392, 398, 902, 933, 958, S-93

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309	Introduced by McDonald: A bill for an act entitled: "An act to repeal the 'Oleomargarine Law' and other references to oleomargarine; repealing Sections 3-24-125, 27-501 through 27-503, 27-505, and 27-507 through 27-523, R.C.M. 1947." .....	319, 323, 842, 881, 911, 1009
310	Introduced by Harrison: A bill for an act entitled: "An act deleting the mandatory public hearing from the requirements to receive a weather modification permit and make the holding of such public hearing permissive; authorizing the Department of Natural Resources and Conservation to assess the applicant for the costs incurred by the department in holding the hearing; and amending Section 89-318, R.C.M. 1947." .....	377, 379, 762, 830, 871, 945
318	Introduced by Carl, Moritz, Boylan, Lynch, Bollinger, McCallum, Devine: A bill for an act entitled: "An act creating the 'Montana Snowmobile Act of 1973'; providing for registration of snowmobiles; issuance of registration decals; operation of snowmobiles; penalties; administration of the act by Fish and Game Department; amending Section 84-406, R.C.M. 1947; and repealing Sections 53-1012 through 53-1028, R.C.M. 1947." .....	596, 615, S-29, 184
321	Introduced by Lowe, McOmber: A bill for an act entitled: "An act providing for the exemption of employees of the Department of Fish and Game from restrictions relating to the herding, driving, capturing, taking, locating or concentrating of fish and game by motor vehicles, airplanes or snowmobiles while such employees are reasonably performing their duties; amending Sections 26-301 and 53-1020, R.C.M. 1947." .....	336, 338, 628, 682, 695, 802
322	Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act to amend Section 23-3013, R.C.M. 1947, by extending the time in which the registrar must make a survey; extending the number of elections before a voter's registration card is canceled; and by providing that registration may not be canceled while a registered voter is serving in the armed forces." .....	470, 662, 720, 732, 733, 925
323	Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 23-3202, R.C.M. 1947, providing that election judges must be members of the political party they represent." .....	377, 379, 663, 720, 733, 802
324	Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act providing that a list be furnished to the Secretary of State of each Montana	

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	resident who has died, and that the voter registration of individuals who have died be canceled." .....	470, 663, 720, 733, 802
325	Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 23-3405, R.C.M. 1947, by providing for the elimination of the requirement for proxies in county conventions of political parties." .....	377, 379, 662, 720, 733, 925
327	Introduced by Bollinger, Turnage: A bill for an act entitled: "An act to amend Section 66-2904, R.C.M. 1947, to provide that the Board of Massage Examiners shall convene after each appointment to the board and elect a president, vice president, and secretary-treasurer." .....	596, 615, 760, 830, 871, 872, 945
329	Introduced by DeWolfe, James, McOmber: A bill for an act entitled: "An act amending Section 16-1803, R.C.M. 1947, to require counties to let for bid all contracts calling for construction, repair or purchases in excess of four thousand dollars (\$4,000) after advertisement for bids." .....	597, 615, 664, 720, 734, 802
331	Introduced by Lynch, McKeon, McGowan: A bill for an act entitled: "An act to require each motor vehicle liability policy in this state to provide first party personal injury insurance coverage which is payable without regard to fault." .....	596, 616, 836
333	Introduced by Turnage: A bill for an act entitled: "An act to amend Section 15-2231, R.C.M. 1947, making the provision for cumulative voting for directors permissive rather than mandatory." .....	597, 616, 760, 830
334	Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 44-411, R.C.M. 1947, to transfer the responsibility for indexing the Laws of Montana from the law librarian to the legislative services division of the Legislative Council; and repealing Section 44-412, R.C.M. 1947." .....	501, 504, 649, 701, 716, 802
336	Introduced by Graham, Hazelbaker: A bill for an act entitled: "An act amending Section 82-1149, R.C.M. 1947, relating to the establishment of prices for state newspaper publications; providing that such prices shall not exceed the minimum going rate charged any other advertiser for publication or advertisement set in the same sized type and published for the same number of insertions." .....	377, 379, 688, 767, 858, 918, 955, S-42
337	Introduced by McNamer: A bill for an act entitled: "An act to amend Section 91-3108, R.C.M. 1947, to	



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	include coal as a mineral which an executor, administrator or guardian can lease for ten (10) years and thereafter." .....	572, 575, 758, 830, 872, 925
338	Introduced by McNamer, Thiessen, Boylan, Vainio: A bill for an act entitled: "An act to amend Sections 11-3702, 11-3705, 11-3709, 11-3710, 11-3711, 11-3712, 11-3718, 11-3720 and 11-3723, R.C.M. 1947, relating to the acquisition, construction, establishment, maintenance, financing, and leasing of off-street parking and related facilities by cities and parking commissions thereof; authorizing revenue bonds issued for such facilities to be secured by the pledge of on-street and off-street parking revenues, special assessments, reserves to be maintained by transfer from other city funds and the levy of taxes limited to the amount of deficiencies in the reserve; mortgages of facilities paid for from the proceeds of the bonds; and providing an effective date." .....	572, 575, 810, 880, 911, S-42
339	Introduced by McNamer, Lynch, Moore, Vainio, Harrison, Flynn, Bollinger, Gilfeather, Rosell, Hall: A bill for an act entitled: "An act to amend Sections 59-801, 59-802, 59-538 and 59-539, R.C.M. 1947, to increase mileage and per diem allowances for public employees and officers." .....	571, 575, 858, 919, 955, S-4, 7, 14, 29, 31, 118, 166, 167, 168, 173, 185
340	Introduced by McNamer: A bill for an act entitled: "An act creating a new section to provide for the collection of certain miscellaneous fees by justices of the peace." .....	572, 575, 758
341	Introduced by McNamer: A bill for an act entitled: "An act creating a new section providing when justices of the peace shall retain or remit fees." .....	572, 575, 757, 830, 867, 1009.
343	Introduced by Flynn, Darrow, McCallum: A bill for an act entitled: "An act to amend Section 69-6509, R.C.M. 1947, to specify the termination date of membership on the Environmental Quality Council." .....	597, 616, 858, 933, 958, 959, 1005, 1027, 1039, 1050, S-8, 19, 33, 147
345	Introduced by Zody, Vainio: A bill for an act entitled: "An act to amend Section 66-3102, R.C.M. 1947, changing the composition of the Board of Nursing Home Administrators; and providing an effective date." .....	596, 616, 859, 933, 951, 995, S-93
348	Introduced by Bollinger, Zody: A bill for an act en-	

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	titled: "An act amending Sections 23-3704 and 23-3707, R.C.M. 1947, by providing in both sections that deputy registrars shall be considered officers authorized to administer oaths." .....	377, 379, 380, 663
349	Introduced by Harrison, Bennett: A bill for an act entitled: "An act to amend Section 66-603, R.C.M. 1947, relating to the podiatry examiners to correct an error and inconsistency in the section changing the words two (2) chiropodists to three (3) podiatrists to make the section consistent and to provide that chiropodists and podiatrists are of the same profession." .....	336, 338, 705, 774, 784, 1009
351	Introduced by Mathers: A bill for an act entitled: "An act to prohibit the use of weighing devices in trade or commerce which are not licensed by the Division of Weights and Measures; and establishing license fees." .....	595, 616, 760, 830, 872, 945
352	Introduced by McKeon: A bill for an act entitled: "An act to create the position of Montana code commissioner; to provide for salaries and travel allowances and for compensation to clerical assistants; to confirm powers of the Montana Supreme Court to appoint a code commissioner and to supervise performance of the commissioner's duties; to make an appropriation; to specify an immediate effective date; and to repeal Sections 12-301 through 12-329, R.C.M. 1947." .....	392, 398, S-159, 160, 168, 172, 174, 181, 182, 183, 186, 187, 190, 191
353	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 75-6323, R.C.M. 1947, providing for the audit of school district extra-curricular funds by the state examiner." .....	572, 575, 736, 788, 822, 897
356	Introduced by McNamer: A bill for an act entitled: "An act creating a new section to provide for fees of justices of the peace in criminal actions." .....	571, 575, 576, 758, 830, 867, 868, 1009
357	Introduced by Turnage: A bill for an act entitled: "An act to provide that a county attorney be elected in each county for a four (4) year term; and amending Section 16-2406, R.C.M. 1947." .....	470, 471, 629, 682, 695, 696, 802
359	Introduced by Carl, Deschamps, Flynn, McDonald: A bill for an act entitled: "An act to amend Section 75-7008, R.C.M. 1947, to allow the tendering of an individual transportation contract to a parent or guardian of a school district to fulfill the re-	

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	sponsibility of the school district for transportation; and providing an effective date." .....	572, 736, 788, 822, 887, 945
360	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 16-2818, R.C.M. 1947, by providing the amount which various counties can be reimbursed by the Highway Patrol Bureau, department of law enforcement and public safety, for prisoner board bill; and defining the word 'day' for the purpose of this act." .....	571, 576, 859, 860, 933, 959, S-93
361	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act requiring the state treasurer to credit the state highway account in the earmarked revenue fund with moneys received under the act of congress of February 25, 1920." .....	571, 576, 782, 845, 877, 945
362	Introduced by Highways and Transportation Committee (by request): A bill for an act entitled: "An act to amend Section 84-1840, R.C.M. 1947, providing for the allocation of funds to counties and incorporated cities and towns for construction, reconstruction, repairs and maintenance of roads, streets and alleys." .....	596, 616, 803, 880, 911, S-8
363	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to repeal Section 32-4304, R.C.M. 1947, and amend Section 32-4305, R.C.M. 1947, to eliminate the requirement of petitions or consent from local authorities before access can be controlled or limited in certain areas." .....	596, 616, 927, 994, 1018, S-6, 7, 14, 47, 94, 147
365	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 32-2610, R.C.M. 1947, to allow the Department of Highways to increase the expenditures made in any financial district to the extent of twenty-five percent (25%) more than the amount of money allocated to such district." .....	452, 459, 802, 880, 912, 1009
366	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to permit the Department of Highways to apportion state construction funds during the interim between legislative sessions." .....	470, 471, 859, 933, 959, S-42
368	Introduced by Highways and Transportation Committee (by request): A bill for an act entitled:	

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	"An act to amend Section 31-142, R.C.M. 1947, permitting driver's license cancellation for cause." ....	525, 527, 759, 830, 872, 925
369	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 53-431, R.C.M. 1947, providing a six (6) year limitation of driver license and registration suspensions resulting from unsatisfied judgments." .....	572, 576, 802, 881, 912, 946, 1005, 1006, 1027, 1031, S-4, 93
370	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 31-119, R.C.M. 1947, revising and adding to the definition of certain words as applied to the Driver Licensing Act." .....	549, 553, 802, 881, 912, 1009
371	Introduced by Committee on Highways and Transportation (by request): A bill for an act entitled: "An act to amend Section 31-145, R.C.M. 1947, providing for a time limit on forwarding reports of conviction." .....	549, 553, 859, 933, 959, S-42
372	Introduced by Gilfeather, Devine, Hall: A bill for an act entitled: "An act to amend Section 16-1008A, R.C.M. 1947, to allow the county commissioners and five (5) lay members appointed by them to manage county buildings and improvements." .....	501, 504, 626, 682, 696, 802
373	Introduced by Bertsche, Hazelbaker, Groff: A bill for an act entitled: "An act to provide for combining all state employees into one or more groups for purposes of negotiating and contracting for group insurance." .....	597, 616, 943, 1024, 1040, S-93
376	Introduced by Gilfeather: A bill for an act entitled: "An act to revise provisions for waiver of nonresident fees in state reciprocal agreements; and amending Section 75-8601, R.C.M. 1947." .....	595, 616, 886, 933, 934, S-8, 20, 147
377	Introduced by Northey, Broeder, McGowan, Graham, Sorenson, Moritz: A bill for an act entitled: "An act amending Section 8-116, R.C.M. 1947, providing that every motor carrier shall at the time of issuance of a certificate, and annually thereafter on or between the first day of January and the fifteenth day of January of each calendar year, pay to the board the sum of five dollars (\$5) for every motor vehicle operated by the carrier over or upon	



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	the public highways of this state; and providing an effective date." .....	361, 362, 977, 1035, 1042, S-17, 23, 24, 43, 55, 118
380	Introduced by Lynch: A bill for an act entitled: "An act amending Section 8-111, R.C.M. 1947, providing that the submission of a Class C Motor Carrier Application must be accompanied by the names and addresses of any person, firm, corporation or other legal entity with whom the applicant has executed a contract for the distribution, delivery or collection of ware, merchandise or commodities, or the transportation of person; that contracts must be in writing, executed by the parties, and submitted to this commission for examination; that the contracting parties must appear and offer testimony in support of the applicant; and providing an effective date." .....	377, 380, 802, 881, 912, 913, S-8
381	Introduced by Siderius, Carl: A bill for an act entitled: "An act to amend Sections 66-101, 66-103, 66-107, 66-108, 66-109 and 66-112, R.C.M. 1947, to provide for staggered terms for members of the Board of Architects; to provide definitions; to raise examination fees; to provide for compensation of board members; and to provide grounds for disciplinary action." .....	572, 576, 782, 783, 818, 852, 943, 1024, 1040, S-93
383	Introduced by Lynch, Story, Nees, McCallum: A bill for an act entitled: "An act amending Section 25-605, R.C.M. 1947, increasing the salaries of certain county officers." .....	596, 616, 881, 913, 947, 1005, 1006, 1057, S-102, 158
384	Introduced by Broeder, Hall, McOmber: A bill for an act entitled: "An act requiring cities and towns making the all-purpose levy to deposit money received from other sources in the all-purpose general fund and requiring that the provisions of the all-purpose levy statutes be construed in conjunction with the Municipal Budget Law." .....	525, 527, 627, 682, 696, 802
385	Introduced by Lynch: A bill for an act entitled: "An act amending Section 72-118, R.C.M. 1947, providing that upon the filing by any railroad of a change or revision of any rate, fare, charge or classification by filing tariff sheet or sheets, every railroad must submit prepared testimony and exhibits to support such changes or revisions; providing that the complaint of any interested party may be filed with the board within thirty (30) days after the date of filing of such changes or revisions; providing	

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	further that the board may suspend the operation of such rate, fare, charge or classification for a period not to exceed one hundred eighty (180) days and within sixty (60) days the board must investigate such; and providing an effective date." .....	377, 380, 927, 928, 994, 1018, S-93
386	Introduced by Northey, McOmber: A bill for an act entitled: "An act requiring slow-moving vehicles to yield to other vehicles following it; authorizing the establishment of turnout areas; defining a slow-moving vehicle; amending Section 32-2147, R.C.M. 1947; and providing an effective date." .....	392, 398, 859, 952, 995, S-42
388	Introduced by McKeon, Lynch: A bill for an act entitled: "An act declaring Monday, January 29, 1973, a legal holiday; providing that this date be designated as "Peace Day"; providing an effective date." .....	240, 253
389	Introduced by Bollinger and Moritz: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, providing for a minimum number of deputy registrars; that the number of deputy registrars for each precinct shall always be equally divided between the two (2) major political parties; and that registration cards executed before the registration deadline shall be accepted three (3) days after the deadline." .....	470, 471, 661, 720, 734, 800, 816, 881, 882, S-8
390	Introduced by Bollinger, Graham: A bill for an act entitled: "An act amending Section 23-3001, R.C.M. 1947, relating to the highway patrol submitting new-voter lists; and by providing that the lists be prepared in quadruplicate." .....	377, 380, 663, 720, 734, 802
393	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 59-605, R.C.M. 1947, by providing that an appointment to fill a vacancy is for the unexpired term; providing for dejure officers before Senate confirmation; and repealing Section 59-606, R.C.M. 1947." .....	597, 616, 899, 952, 996, S-42
396	Introduced by Deschamps, Flynn, Broeder, Moritz: A bill for an act entitled: "An act amending the Montana Apiculture Act, Title 82, Chapter 8, R.C.M. 1947; amending Sections 82-805, 82-806, 82-807, 82-808, 82-809, 82-811 and 82-814, R.C.M. 1947." .....	1012, 1014, S-43, 76, 95, 147
397	Introduced by Vainio, Turnage, McKeon: A bill for an act entitled: "An act amending Section 66-1025, R.C.M. 1947, providing for reciprocity for doctors of osteopathy." .....	596, 616, 891, 952, 996, S-42

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402	Introduced by Lynch and Carl: A bill for an act entitled: "An act amending Section 35-103, R.C.M. 1947, providing that an elderly family is one the head of which is sixty (60) years of age or older."	549, 553, 626, 682, 696, 697, 802
403	Introduced by McNamer, Flynn: A bill for an act entitled: "An act to establish guidelines for the management and use of investments held by eleemosynary institutions and funds."	596, 617, 858, 952, 996, S-42
404	Introduced by Bertsche, McGowan, Cochrane, Darrow, Bennett, McCallum, McKeon, Bollinger, Thiessen, Flynn, Moritz, DeWolfe: A bill for an act entitled: "An act providing for the conservation of strippable and marketable coal, and prohibiting the waste thereof; providing for the submission of strip mining plans, to the Department of State Lands; assigning duties to the State Board of Land Commissioners; providing penalties; and providing an effective date."	596, 617, 703, 774, 787, 788, 822, 823, 945
406	Introduced by James: A bill for an act entitled: "An act to be codified in Chapter 15, Title 66, R.C.M. 1947, relating to the sale and advertisement of contraceptive drugs and devices; providing penalties; and repealing Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947."	571, 576, 891, 892, 952, 997, 1006, 1019, S-93
407	Introduced by McDonald, Goodheart, McCallum, Deschamps, Rosell: A bill for an act entitled: "An act defining certifying agency and protected variety; providing for labeling of seeds; providing a penalty; providing for testing of seed samples; providing for additional prohibitions; amending Section 3-802.1, 3-802.2, 3-804, 3-807, 3-808, 3-810 through 3-814 and 3-820, R.C.M. 1947; and repealing Section 3-806, R.C.M. 1947."	596, 617, 897, 952, 997, S-42
408	Introduced by McDonald, McNamer: A bill for an act entitled: "An act amending Sections 10-901, 10-902, and 10-903, R.C.M. 1947, changing the declaration of policy in regard to reporting of cases of child neglect or abuse by providing that the reports are made to the Department of Social and Rehabilitation Services or its local affiliate rather than to the county attorney; expanding the persons required to report; changing the definition by including with physical abuse, sexual and psychological abuse."	452, 459, 460, 796, 797, 845, 868, 1009

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410	Introduced by Bennett, McKeon, Gilfeather: A bill for an act entitled: "An act to amend Section 25-605, R.C.M. 1947, to provide that county attorneys be paid one and one-half (1½) times the salary provided for in that Section." .....	596, 617, 810
411	Introduced by Bertsche, Mathers: A bill for an act entitled: "An act to provide that the Department of Administration shall develop a wage and salary plan for state employees for submission to the 1975 Legislature and be granted immediate authority to develop a personnel classification plan; providing that salary increases, changes in position classifications and changes in number of employees must be approved by the Department of Administration; and creating a board for the hearing of grievances that result from the implementation of this act." .....	597, 617, 907, 942, 1024, 1041, S-93
412	Introduced by Harrison, Bennett: A bill for an act entitled: "An act to amend Section 13-903, R.C.M. 1947, to provide for the rescission of contracts by buyers from 'door-to-door' salesmen." .....	549, 553, 1009
413	Introduced by Turnage, Bertsche: A bill for an act entitled: "An act making lawful the conducting of games of chance commonly known as bingo and raffles; defining terms; providing penalties; and providing an effective date." .....	595, 617, S-87, 88, 90, 91, 106, 107, 119, 120, 129, 151, 152, 154, 159, 160, 161
414	Introduced by Boylan: A bill for an act entitled: "An act providing that in any analysis of raw milk for human consumption, the quantity of 'coliform' shall not be used for grading purposes." .....	525, 527, 903
417	Introduced by Harrison: A bill for an act entitled: "An act amending Section 11-3909, R.C.M. 1947, relating to the disposal of real property in areas of urban renewal." .....	572, 576, 627, 682, 797, 802
424	Introduced by Aber: A bill for an act entitled: "An act prohibiting the filing of false mining claims; providing for a penalty; and providing for an effective date." .....	549, 553, 649, 701, 717, 802
426	Introduced by Bertsche, Graham, Turnage: A bill for an act entitled: "An act requiring all agencies of state government to give assistance to Tribal Councils or their official designees assistance on any matter relating to coal development on Indian lands." .....	595, 617, 703, 737, 771, 925
427	Introduced by McKeon: A bill for an act entitled:	



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	"An act to amend Section 87-148, R.C.M. 1947, to provide unemployment compensation coverage for all public employees." .....	597, 617, 917, 952, 997, S-42
431	Introduced by Thiessen, Bertsche: A bill for an act entitled: "An act to amend Sections 59-1001, 59-1003, 59-1005 and 59-1008, R.C.M. 1947; to provide laws for administering annual vacation and sick leave benefits for all employees of state, county and city governments; and to add a new Section to provide for jury leave for public employees." .....	596, 617, 898, 952, 997, S-5, 7, 14, 32, 45, 46, 52, 56, 66, 83, 84, 102, 147
435	Introduced by Carl: A bill for an act entitled: "An act amending Section 40-3011, R.C.M. 1947, relating to standard valuation law in life insurance, amending Section 40-3881, R.C.M. 1947, relating to standard nonforfeiture law in life insurance; providing for adoption of annuity mortality tables and permissible interest rates in valuation of annuity and insurance contracts; and providing for an effective date." .....	525, 527, 810, 881, 913, S-8
436	Introduced by Turnage: A bill for an act entitled: "An act to provide for the voluntary payment of personal injury or property damage claims without such payment constituting an admission of liability." .....	525, 527, 707, 788, 823, 897
437	Introduced by McDonald, Deschamps: A bill for an act entitled: "An act amending Sections 69-6004, 69-6005 and 69-6006, R.C.M. 1947, to provide certain notice requirements prior to creation of refuse disposal districts." .....	525, 527, 705, 788, 823, 1009
441	Introduced by Turnage: A bill for an act entitled: "An act to remove requirements of residency and minority in probate of estates of net value less than ten thousand dollars (\$10,000); and amending Sections 91-5301, 91-5304, 91-5305, 91-5308 and 91-5310, R.C.M. 1947." .....	525, 527, 707, 788, 823, 925
442	Introduced by Gilfeather: A bill for an act entitled: "An act relating to the conduct of business of co-operative associations; amending Sections 14-203 and 14-216, R.C.M. 1947; repealing Sections 14-217, 14-218 and 14-220, R.C.M. 1947; and providing an effective date." .....	525, 527, 707, 788, 824, S-8
443	Introduced by McGowan, Bertsche: A bill for an act	

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	entitled: "An act to provide for reclamation and conservation of land subject to open cut sand or gravel mining; requiring reclamation contracts for operations resulting in removal of ten thousand (10,000) cubic yards of overburden or product; providing enforcement by the State Board of Land Commissioners; repealing Sections 50-1018 through 50-1033, R.C.M. 1947; and providing an effective date." .....	597, 617, 618, 762, 763, 800, 934, 994, 999, S-23
444	Introduced by McGowan, Harrison, McOmber, Lowe, Bennett, Groff, Turnage: A bill for an act entitled: "An act providing a system for the appropriation and use of surface and groundwater; providing a procedure for the determination and confirmation of existing water rights; establishing a system of centralized records of all water rights; repealing Sections 89-121 through 89-123, 89-125, 89-801 through 89-819, 89-823 through 89-826, 89-829 through 89-845, 89-847 through 89-855, 89-857 through 89-864, 89-1001 through 89-1024, 89-2911 through 89-2936, R.C.M. 1947; and providing an effective date." .....	651, 652, 967, 968, 969, 970, 971, 972, 1035, 1042
445	Introduced by Darrow, Bertsche, Bennett, Gilfeather, Cochrane, McKeon, Moritz, McGowan, Bollinger: A bill for an act entitled: "An act to amend Sections 89-3503 through 89-3506 and 89-3508, R.C.M. 1947, providing for a change in the definition of a fifty (50) year flood frequency to a flood of one hundred (100) year frequency; providing for immediate enforcement of a designated floodway when an emergency exists; and providing for authority in the Department of Natural Resources and Conservation to enter into agreements with private consultants for acquiring flood data." .....	651, 652, 842, 881, 913, 914, 1009
446	Introduced by Bertsche: A bill for an act entitled: "An act granting public employers and public employees the right to bargain collectively; providing that the Board of Personnel Appeals may designate labor organizations to be exclusive representative of employees in certain units; and may also call elections by employees for the same purpose; providing the Board of Personnel Appeals shall establish remedies for unfair labor practices; and providing procedures for carrying out the act." .....	651, 652, 945, 1024, 1041, S-93
447	Introduced by McCallum, Turnage, Lynch, McDonald: A bill for an act entitled: "An act requiring the insurer to accept or deny a claim within ten (10) days of its filing; payment of weekly compensation until claimant returns to work; termination of com-	

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	pensation only upon notice and division approval; and payment of costs and penalty in case of establishment of a denied claim." .....	596, 618, 916, 994, 1018, 1019, S-5, 7, 14, 55, 70, 147
451	Introduced by Legislative Administration Committee: A bill for an act entitled: "An act reducing the membership of the Legislative Council to four (4) members and providing terms; providing for council organization, powers and duties; providing for appointment of study committees; providing compensation for council members and committees; providing a method of determining council studies; and amending Sections 43-709 through 43-715, R.C.M. 1947." .....	595, 618, 1000, 1001, 1002, 1024, 1025, S-6, 7, 14, 23, 24, 30, 51, 54, 93
452	Introduced by Bertsche, Groff, Moritz, McKeon, Moore: A bill for an act entitled: "An act to appropriate six hundred forty-three thousand dollars (\$643,000) from the long-range building program account in the bond proceeds and insurance clearance fund and one hundred thousand dollars (\$100,000) from the Warm Springs Hospital account in the bond proceeds and insurance clearance fund to the Department of Administration for the construction of a new patient dormitory building at the Warm Springs State Hospital; and providing an effective date." .....	931, S-178, 179
454	Introduced by Groff: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1973 and 1974, providing a severability clause and an effective date." .....	651, 652, S-16, 35, 62, 63, 147
455	Introduced by Groff: A bill for an act entitled: "An act to provide for the support of the Government of Montana for the years 1973 and 1974." .....	651, 652, S-15, 35, 63, 118
456	Introduced by Groff: A bill for an act entitled: "An act providing that compensation for legislators when engaged in official business during an interim period is computed in quarters of days." .....	666, 668, 707, 788 824, 925
457	Introduced by Groff, James, Hazelbaker: A bill for an act entitled: "An act to appropriate moneys to the legislative council for its operation, for the statutory retrieval system annual update and for legislative use of the statutory retrieval system for the biennium ending June 30, 1975." .....	905, 907, S-174, 175, 176, 177, 190

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459	Introduced by Hazelbaker, McCallum, Deschamps, Rosell: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Business Regulation [and providing that this act is effective upon its passage and approval.]" .....	S-189, 190, 191
467	Introduced by Groff, Lynch: A bill for an act entitled: "An act amending Section 82-1918, R.C.M. 1947; providing for contracts for the lease-purchase of buildings to be made for longer than three years; and authorizing the state purchasing agent subject to the approval of the Legislature as part of the long-range building program to enter into contracts for the lease-purchase of buildings." .....	S-102, 130, 139, 144, 146, 172
468	Introduced by Zody: A bill for an act entitled: "An act to appropriate from the general fund to the department of health and environmental sciences, all moneys received under House Bill No. 112, of the First Session of the Forty-Third Legislative Assembly of the State of Montana." .....	S-102, 130, 139, 144, 146, 172
469	Introduced by Carl, Lynch, Turnage, Devine: A bill for an act entitled: "An act amending Section 11-203, R.C.M. 1947, revising the procedures for the organization of cities and towns; and providing an effective date." .....	S-129, 130, 136, 144, 154, 161, 176, 190
470	Introduced by Groff, Moore: A bill for an act entitled: "An act to amend Section 16-1015, R.C.M. 1947, to increase the maximum allowable county general fund mill levy." .....	S-116, 117, 130, 144, 147, 156, 157, 164, 166, 170, 190, 191
472	Introduced by Groff: A bill for an act entitled: "An act appropriating money for the operation of the Forty-Third Legislative Assembly and providing an effective date." .....	S-31, 32, 57, 60, 62, 64

## SENATE JOINT RESOLUTIONS IN HOUSE

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| 1 | Introduced by Lynch, Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the problems involved in the 1972 Montana Constitution in Article II, Section 8, "Right of Participation"; and Section 9, "Right to Know", concerning the various fundamental citizens' rights involved, and report its findings to the Second Session of the Forty- |
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	third Legislative Assembly together with draft legislation. ....	74, 76, 79, 91, 107, 108, 154
2	Introduced by Lynch, Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the problems involved in Article II, Section 18, "State Subject to Suit" of the 1972 Montana Constitution concerning the abolition of the doctrine of governmental immunity, and report its findings to the Second Session of the Forty-third Legislative Assembly together with draft legislation of a procedure to process claims. ....	74, 76, 77, 107, 117, 130, 170, 208
3	Introduced by Lynch and Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to conduct a study of qualifications, training, compensation and number of justices of the peace. ....	113, 114, 150, 175, 190, 191, 276
4	Introduced by Lynch and Moore (by request): A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the problems involved in Article II, Section 15, "Rights of persons not adults" of the 1972 Montana Constitution concerning the rights of persons under eighteen (18) years of age, and report its findings to the Second Session of the Forty-third Legislative Assembly together with draft legislation. ....	82, 84, 112, 129, 148, 208
5	Introduced by Lowe, James: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the United States Department of Agriculture to treat Montana's winter allowance as an income disregard rather than an addition to income. ....	141, 146, 276, 313, 329, 366
6	Introduced by Klindt, Deschamps, Thiessen, Breeden, Goodheart, Aber, McDonald, Flynn, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directed to all administrators of universities, colleges and boards of education pertaining to the value of inter-collegiate and interscholastic athletic competition to the overall educational program. ....	377, 378, 926, 927
8	Introduced by Bollinger, McOmber, Deschamps: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Montana Agricultural Stabilization and Con-	

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	<p>servation State Committee to adopt immediately the emergency measures now known by the Agricultural Research Service Soil Conservation Service, Federal Extension Service, Experiment Stations and other agencies to reduce Montana's conserving base, to minimize summer fallowing, to maximize cropping flexibility, and to prevent further destruction of Montana's cropland and further pollution of Montana's water by saline-alkali seep. In accordance with the principles of conservation of natural resources in soil and water as set out in the Soil Conservation and Domestic Allotment Act, as amended. ....</p>	<p>290, 292, 704, 774, 786, S-8</p>
9	<p>Introduced by Bollinger, Nees: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Montana Agricultural Stabilization and Conservation State Committee to effect immediate, sharp downward adjustments in Montana's conserving base acres to provide a reliable feed supply at stable cost for Montana's livestock industry, to strengthen Montana's livestock feeding industry, to improve the statewide economy and to correct wastage of soil and water by erosion and saline seep. ....</p>	<p>501, 502, 902, 994, 1019, S-93</p>
10	<p>Introduced by Lowe, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the President to rescind Executive Order No. 11643, "Environmental safeguards on activities for animal damage control on federal lands," and asking the Environmental Protection Agency to lift its restrictions on the interstate movement of certain chemical toxicants designated for use in predator animal control. ....</p>	<p>241, 245, 686, 727, 788, 825</p>
12	<p>Introduced by Himsl, Bertsche, Hazelbaker, Rosell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to maintain a continuing study committee to oversee the efforts of the six units of the university system in avoiding unnecessary duplication. ....</p>	<p>377, 378, 570, 658, 678, 735</p>
13	<p>Introduced by Lowe, Mathers, Northey, Manning, Sorenson, Cochran, Drake, Siderius, Breeden: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the problems surrounding use of privately owned lands for hunting and fishing in order that a comprehensive system of "pay hunting" may be developed. ....</p>	<p>278, 282, 405, 429, 462, 479, 480, 664</p>
14	<p>Introduced by Moritz, Hazelbaker, Moore, Klindt,</p>	

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	Bennett, McGowan, Story, Lowe, Drake, Manning, Graham, Sorenson, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting and urging that the Congress of the United States take effective action to restore to the State of Montana the full amount of the funds which have been legally apportioned to the state but which have been improperly reduced and curtailed by the executive branch of the federal government through the device of "contract controls" and "limitations of obligation".	290, 292, 293, 759, 845, 877, S-8
15	Introduced by Mathers, Bertsche, Thiessen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to evaluate the need for state coordination of the planning, marketing, and servicing of bond issues in the State of Montana. ....	421, 595, 658, 678, 679
16	Introduced by Hazelbaker, McKeon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and to the Congress of the United States asking federal block grant assistance to upgrade law enforcement and criminal justice in Montana be continued. ....	595, 598, 706, 788, 824, 925
17	Introduced by McOmber, DeWolfe, Nees, Rosell, Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging the public schools to include in their curricula courses on Indian history, culture and contemporary affairs and teacher training institutions to provide programs specifically designed to prepare teachers to teach Indian children. ....	319, 322, 418, 462, 658, 679, 735
18	Introduced by Bertsche, Turnage, James, Moore, Himsl, Nees, Bollinger, Zody, Lowe, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing that select committees of the Senate and House of Representatives study all legislative proposals concerning gambling and wagering and directing members of the Forty-third Legislature to introduce all legislative bills concerning gambling or wagering prior to the sixtieth legislative day of the 1973 session of the Forty-third Legislature. ....	595, 598, 626, 837, 838, 843, 888, 914, 1035, S-8
19	Introduced by Thiessen, Mathers, Bertsche: A Joint Resolution of the Senate and the House of Repre-	

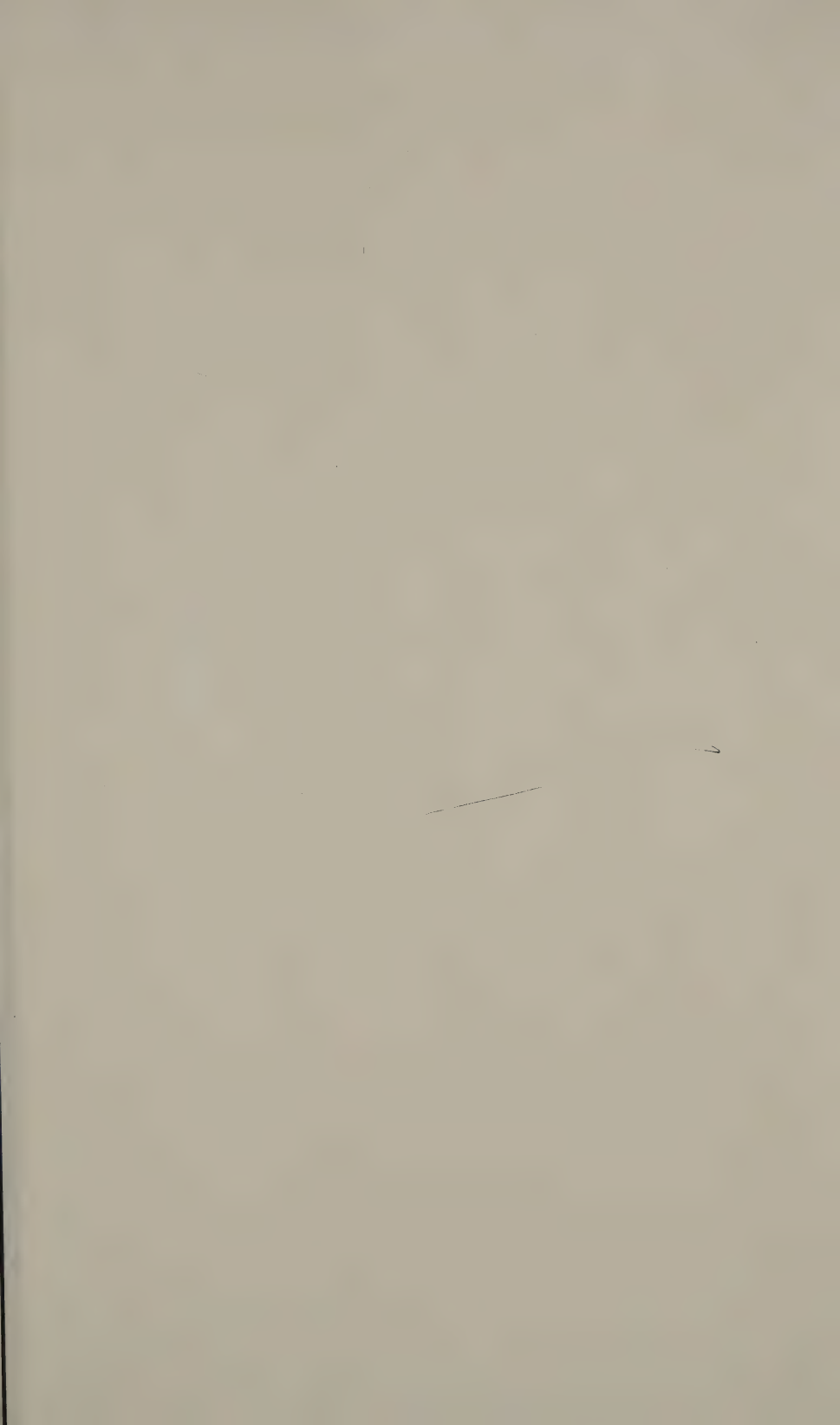
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	sentatives of the State of Montana requesting the Legislative Audit Committee to evaluate and report upon the manner in which audits of political subdivisions of the State are accomplished. ....	525, 526, 642, 701, 717, 802
20	Introduced by McKeon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging President Richard M. Nixon to review the plight of Montana and to release desperately needed funds which have been appropriated for Montana programs. ....	361, 362, 549, 658, 679
21	Introduced by Carl, James, Hazelbaker, Rosell, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the construction laws of the State of Montana and direct that said laws be recodified into a modern and adequate construction code. ....	571, 573, 687, 736, 773, 897
22	Introduced by Himsl, Cochrane, Moritz, Rosell, Sorenson, Zody, Hazelbaker, Bertsche, Keenan, Carl, Northey, Devine, James, Aber, Broeder: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of legislation leading to the adoption of a state-wide, uniform license fee system of taxation of automobiles, in lieu of the new car sales tax and personal property taxes with an anniversary system of licensing and registration of vehicles throughout the year, and report its findings to the Second Session of the Forty-third Legislative Assembly, together with draft legislation for the implementation of such a system. ....	290, 293, 399, 462, 658, 679, 680, 726, 802
23	Introduced by Darrow, Broeder, Boylan, McGowan, McDonald, McOmber, Himsl: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Secretary Earl Butz, presidential counselor for natural resources, to work toward provision of adequate funds for productive management of federal lands. ....	596, 598, 702, 775, 784, 785, 897
24	Introduced by Darrow, Lynch, Turnage, Bertsche, McGowan, McKeon, Cochrane, Bollinger, McCallum, Thiessen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Environmental Quality Council to undertake a study, make recommendations and propose legislation concerning the development and implementation of a state energy policy as it relates to a developing national energy	



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	policy and requesting the Governor to direct the Coal Task Force to work with and advise the Environmental Quality Council. ....	452, 459, 702, 775, 785, 897
25	Introduced by McOmber, McCallum: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting the President and the Congress of these United States to make available additional moneys and manpower for predator control research. ....	336, 337, 687, 737, 773, 897
26	Introduced by McOmber and McCallum: A Joint Resolution of the Senate and the House of Representatives of the State of Montana respectfully requesting the Congress and the President of these United States to establish a national rabies wildlife research program to provide protection to the citizens of Montana and other states. ....	501, 503, 629, 682, 700, 802
27	Introduced by Bollinger, Deschamps, Graham, Hazelbaker, Sorenson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for a special committee to inquire into the requirements necessary to insure a high quality of legislative employees. ....	361, 362, 978, 1036, 1042, S-93
28	Introduced by Harrison, Bennett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging motorists to drive with their headlights on in the daytime to deter head-on collisions. ....	361, 362, 802, 890, 955, 956, S-93
30	Introduced by Darrow: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing gratitude to Montana landowners who share the public fish and wildlife resources and reaffirming support of proper fish and wildlife management. ....	596, 598, 661, 720, 734, 735, 897
31	Introduced by Hall, Turnage, Groff, Rosell, Devine, Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study administration and finance of Montana libraries. ....	595, 598, 777, 845, 877, S-8
33	Introduced by Bollinger, McOmber: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor of the State of Montana immediately marshal all resources of the state and to seek emergency aid from the federal government to halt further destruction of Montana's natural resources in soil, water and wildlife and further damage to Mon-	

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	tana's ecology and economy by saline seep caused by agricultural practices and geologic conditions.	596, 598, 703, 775, 785, 925
34	Introduced by Bollinger, Moritz: A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for the Legislative Council to conduct an interim study on health maintenance organizations for Montana. ....	525, 526, 797, 845, 878, 925
35	Introduced by Groff and Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging the Department of Natural Resources and Conservation to investigate the feasibility of the state constructing water resources projects to supply water, if needed, for coal development in eastern Montana. ....	572, 573, 703, 788, 825, 1009
36	Introduced by Bollinger, Graham, Hazelbaker: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requiring the Legislative Administration Committees of the House and the Senate meeting jointly to employ a business manager. ....	525, 526, 978, 1037, 1043, S-93
37	Introduced by Vainio, Shea, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana expressing the support of the Montana Legislative Assembly for legislation proposed in Congress which calls for the establishment of mining, mineral, and environmental research centers in each state. ....	595, 598, 702, 775, 785, 786, S-8
38	Introduced by McDonald, James, McOmber, McGowan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, senators from Montana, and the Honorable John Melcher and the Honorable Richard Shoup, representatives from Montana, requesting the Montana Congressional Delegation to urge the appropriate agencies of the United States Government to fulfill their responsibility to reconstruct the access roads to missile sites in the nine (9) county missile complex area to bring said roads into compliance with essential minimum standards of safety. ....	501, 503, 759, 845, 878, 945
39	Introduced by Darrow, Bertsche, Bennett, Bollinger, McGowan, McKeon, McCallum, Moritz, Cochrane: A Joint Resolution of the Senate and the House of Representatives of the State of Montana affirming the Governor's appointment of a coal task force and requesting that the coal task force continue to	

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	investigate and report on the impact of coal development and coordinate coal-related research proposals. ....	596, 598, 702, 775, 786, 857
40	Introduced by Bollinger, Bennett: A Joint Resolution of the State of Montana requesting the Director of the Department of Business Regulation to create an unfair practices advisory council to advise the department regarding enforcement of the unfair practices act. ....	549, 551, 666, 720, 735, 802









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